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JULY—DECEMBER 1935

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# **CHRONICLE OF EVENTS**

**JULY-DECEMBER 1935**



# CHRONICLE OF EVENTS

JULY 1935

**2nd. Child Marriage in Mysore** —The Mysore Legislature rejected by 31 votes to 17 a non official motion for leave to introduce a Bill to restrain the solemnization of child marriages in Mysore State

**3rd. Shahidgany Gurdwara Affair** —At 8 o'clock in the evening 2,000 Muslims armed with 'dandas' and iron rods appeared before the Gurdwara, in which equal number of Sikhs armed with kirpans were congregated to protect the Gurdwara and challenges were exchanged. The City Magistrate and high police officers hurried to the spot and dispersed the crowd after a mild lathi charge (the first since the trouble began). The mounted and other police controlled the situation.

**4th. The Viceroy visits quake area** —His Excellency the Viceroy and party proceeded to Quetta by special train. At Mastung, they were received by the Khan of Kalat in whose company they saw the ruins caused by the earthquake. The Viceroy granted interviews to representatives of Hindu, Moslem, Sikh and other communities and acquainted himself with their difficulties. His Excellency visited the refugees camp. At a review of troops, the Viceroy addressed them for the services rendered during the earthquake.

**Bengal Congressman sentenced** —Dr. Indra Narain Sen Gupta was sentenced to two years' rigorous imprisonment on a charge of sedition. Dr. Sen Gupta was the General Secretary of the Bengal Congress Nationalist Party. The charge was in connection with a speech delivered by him at a public meeting at Deshabandhu Park, Calcutta, on April 6, to celebrate the National Week.

**5th. Fire Havoc in Abbottabad** —A fire which broke out in a sweetmeat shop in Abbottabad spread with such rapidity that in a few hours, the whole of the Indian bazaar area was destroyed including a Muslim mosque and a Hindu temple.

**7th. Dispute between Bombay and Madras Universities** —The dispute between the Madras and Bombay Universities over the recognition of their respective degrees, which reached an amicable solution in September 1934, was now renewed with the result that the Registrar of the Bombay University announced that students from the Madras University seeking admission into Bombay would not get final eligibility certificates. They would have to accept provisional admission which would be confirmed or withdrawn as negotiations for settlement, which were in progress between the two Universities, succeeded or failed.

**8th. Sir T. B. Sapru on Unemployment** —"I think that a great deal can be done and ought to be done to relieve educated unemployment in this country," said Sir Tej Bahadur Sapru, who arrived in Bombay after a brief tour abroad, studying how other countries were tackling the question of unemployment. Sir Tej, it will be remembered, is the Chairman of the Unemployment Committee appointed by the U. P. Government. As a result of his tour, he had collected valuable materials both in England and Europe. In England, the Board of Education and the Ministry of Labour rendered him valuable assistance. At the League of Nations, he was able to get an advance copy of the report on the question of unemployment to be placed before the League from Dr. Knoossing. Every country supplied him materials.

**Curfew Order in Lahore Shahidgany Gurdwara Sequel** —In view of the serious communal disturbances, a curfew order was promulgated in Lahore prohibiting people from remaining outdoors from 8-30 p. m. till 5-30 a. m. Eleven arrests were made, when a crowd was dispersed near the Kotwall by lathi charge. The city bazars were closed in panic. Armed parties patrolled the city. Preventive measures were reported from mofussil centres also, in view of the widespread communal feeling. The situation took a grave complexion when a crowd of Muslims armed with staves came via Delhi Gate and attempted to force a way through

the cordons of Police towards the Gurdwara, where the Mosque was being demolished. Reserves were at once called out to hold back the crowd who were beating their chests shouting "Allah o Akbar, Ya Ali." Practically all important police officers including two Deputy Inspectors-General of Police, the Senior Superintendent of Police, Inspectors, District and other Magistrates were on duty on the spot. H. E. the Governor visited the city Kotwall, situated near the Gurdwara.

**11th. Bengal Governor on Terrorism**—His Excellency the Governor of Bengal addressing the police parade at Dacca referring to terrorism said that the situation to-day was certainly better—a good deal better than it was two or three years ago. Despite efforts that had been made to diminish the number of outrages, the terrorist virus was still active and malignant. Continuing Sir John Anderson said that an experiment was being tried of the return of detainees in greater numbers to their homes in cases where responsible committees of non-officials were willing to exercise superintendence over them. He added, "Government have in contemplation other means by which it may be possible to give detainees under proper security a chance to qualify themselves for occupations and to show that they mean to be good citizens." Sir John further said that there could be no slackening of the pressure until Government were satisfied that terrorism as a political weapon had been abandoned. "I therefore call on the police to continue to do their utmost to unearth and break up the secret organisations and I trust that the public will in their own interests play their parts."

**14th. Another Shock at Quetta**—An earthquake shock of severe intensity, accompanied by gurgling sound and lasting for about fifteen seconds was felt in Quetta at about 11 o'clock in the morning. Clouds of dust shot up the Chiltan Mountain. The shock rocked the city with great intensity, and one of the walls in the Race Course which withstood the previous shock was now levelled. Some of the residents, who clung to the ill-fated city determined on salvage of their belongings before leaving Quetta, evacuated the city after the shock.

**15th. Situation in Lahore**—The District Magistrate, Lahore, promulgated an order under Section 144, Cr. P. O. prohibiting meetings to discuss any matter connected with the demolition of the Shahjahan mosque within the limits of the Lahore district for a period of one month with effect from to-day. A meeting of Muslims was held in the Municipal gardens outside the Mooli gate on the 14th July and thousands of Muslims wearing blue shirts gathered. Maulana Zafarali Khan exhorted Muslims to unite under the Islamic banner for the restoration of the mosque. A council of action was formed with Maulana Zafarali Khan as 'dictator'. Subsequently, Maulana Zafarali Khan and four others were arrested under the Criminal Law Amendment Act and interned.

**16th. Bengal Delimitation Committee's Report**—The Interim report of the Provincial Advisory Committee on the Delimitation of Constituencies was published. Under the Communal Award 117 Muhammadan and 78 General seats were allotted to Bengal. Of the 78 General seats one was to go to the Hillmen's constituency in the Darjeeling area. Of the 77 seats 30 were allocated to the depressed classes by the Poona Pact. 47 seats therefore remained to be allocated. The Committee decided that 17 General urban seats should be allotted to Calcutta and other urban areas coming within the scope of the Bengal Municipal Act. The existing number of Muhammadan urban seats should be maintained and 111 rural Muhammadan seats should be allocated on a population basis. On this basis, to take only one instance, Mymensingh will have 15 rural Muhammadan seats as against 2 General seats.

**20th. Situation in Lahore Muslims Fired upon**—Fresh trouble broke out in Lahore to-day. Large crowds of Muslims assembled, assuming from the beginning a violent attitude to the police. Despite charges by the police and the mounted police they refused to disperse except temporarily. Firing became necessary on five occasions after every effort to disperse the crowds failed and after a warning had been issued by the Magistrate. The number of killed was reported not to exceed ten. The situation was subsequently brought under control. An order under Section 144, Cr.

P. O. was promulgated by the District Magistrate to be effective in Lahore district for one month, prohibiting an assembly of five or more persons in furtherance of that purpose. Three Muslims who were arrested on July 16 at the Shahi mosque for delivering speeches in contravention of the Government orders were sentenced to an aggregate term of one year's rigorous imprisonment and a fine of Rs 75 each.

**22nd Situation in Lahore** —The communal situation at Lahore considerably improved, and the roads in the vicinity of the Kotwalli which had previously been filled with people were devoid of even small groups. The Moslems, however, held a mass meeting at the Wazir Khan mosque. The speeches were, it was understood, temperate enough, but the trend of the discussions appeared to be that they have decided to resort to sending jathas to the Shahidganj mosque and, if these were arrested, to send other jathas. A Punjab Government communique stated that the situation was now under control, but in view of the possibility of bands of Moslems from outside entering Lahore, necessary steps were taken to reinforce the troops and police.

**23rd.** Seven Moslem jathas who openly defied an official ban at Lahore were immediately sentenced to six months' rigorous imprisonment and fined.

**26th Mr Sarat Bose Released** —Mr Sarat Chandra Bose, who was a State prisoner from February 1912 under Regulation III of 1818, was released unconditionally. Mr Bose was staying at the bedside of his ailing mother at Calcutta when the Deputy Commissioner of police, Southern Division called and his first request was whether he could go to the High Court. Permission was readily given despite the absence of the formal order of release. Mr Bose immediately proceeded to the High Court where he was warmly welcomed by friends.

**28th Madras City Political Conference** —The Madras City Political Conference was held at the Congress House, Royapettah, under the presidency of Mr O. Ramalinga Reddi. The conference passed resolutions opining that the Madras City Municipal Act Amending Bill was disappointing and reactionary, recommending to the Congress to frame a detailed scheme according to the Karachi programme, and recommending that the ban on acceptance of Ministerial offices be removed. The Conference also demanded the dissolution of the Madras Council "as it has outlived its normal period of time and is hopelessly unrepresentative."

**30th India Bill Debate in Commons** —When the House of Commons assembled to discuss the amendments made to the India Bill by the Upper House, Mr Winston Churchill suggested that there should be a general discussion on the effect of the Peers amendments, but the Speaker suggested that the amendments should be taken separately. The House agreed to this, and before it rose the only changes made in the Bill as adopted by the Lords were five drafting alterations. These would be considered by the House of Lords on August 1. The Royal Assent on August 2. During the discussion on direct election Secretary to the Council of State—amendment to Clause 290—Mr R. A. Butler (Under of State for India) explained the effect of the change introduced in the House of Lords "where there had been, on the whole, general agreement with regard to the weakness of the original plan." Mr Winston Churchill, commenting, twitted the Government and suggested that they had "caved in in order to placate the Liberals." He added that he did not doubt that "the whole Bill was honey-combed with equally unsound devices." The Lords' amendment involving the principle of direct election to the Council of State was agreed to without a division after Mr Isaac Foot, Sir Austen Chamberlain, Sir J. S. Wardlaw-Milne and Lord Eustace Percy had spoken on it.

**31st. Detenus in Bengal** —Replying to a question in the Bengal Council, to day, the Home Member submitted a statement which showed that there were 80 detenus in jail, 1,468 in detention camps, 764 in village domiciles, 23 domiciled with relatives, 174 home domiciled and one confined in a sanatorium. There were 229 terrorist prisoners in the Andamans from the Province. Replying to a supplementary question, he said that the Government contemplated sending more terrorist prisoners to the Andamans.

*Congress Acceptance of Office* —The Working Committee of the All-India Congress came to the conclusion that it was too early at present to decide whether Congressmen should accept offices under the new India Constitution.

## AUGUST 1935

**1st. Congress & Indian States** —The Congress Working Committee defined Congress policy towards Indian States and States subjects.

**4th. Police fire on Mob in Bihar** —Five were killed and 7 were wounded when the Police fired on a Hindu mob, which attempted to invade a Muslim place of worship in the village of Phenhera, district Champaran, on the occasion of Mahavir Jhanda celebration. In all 30 rounds were fired and 12 were hit. The incident was the climax of several days' communal tension caused by a dispute over the proposed route of a Hindu procession. Fearing trouble on the occasion of the celebrations, officials intervened beforehand and secured a compromise regarding the route. But the Hindus were alleged to have violated the terms of the compromise and attempted to attack the "adgaah". Finding that the mob, which numbered 3,000, had assumed threatening attitude and would not obey orders to disperse, the Sub Divisional Officer, who was present, directed the armed police to open fire.

**5th. Joint Labour Board** — An important step in the direction of bringing about Trades Union Unity in the country was taken by a Joint Conference of the All-India Trade Union Congress and the National Trade Union Federation which was held at Lahore. As a result of the deliberations, the above Conference changed its name into All-India Joint Labour Board and appointed an Executive.

**Democratic Swaraj Party** —A meeting of the Democratic Swaraj Party was held at Akola, Dr Moonje and Mr M. S. Aney were enrolled as members of the party and Dr Moonje was elected to the central council in place of the late Mr Karandikar. Mr Kelkar withdrew his resignation from the presidency of the Party till the next annual meeting. The draft manifesto, which had been prepared after consulting Messrs. M. S. Aney, B. C. Kelkar, B. S. Moonje, Jannadas Mahta, L. B. Bhopalkar, G. A. Ogale and others, was then read and discussed. With certain changes, the manifesto was finally adopted and it was resolved that Messrs Kelkar and Aney should approach the executive committee of the National Party, with the draft, to see whether the two parties could join together to form an All India Party. It was also resolved that the final result of negotiations should be put for sanction before the annual meeting which would be held in the first week of October in Khandesh.

**Calcutta Europeans in Reforms** —The need for further organization by the European community in view of the coming Reforms was stressed by speakers at a meeting of the Calcutta Branch of the European Association.

**6th. Viceroy Designate of India** —The Marquess of Linlithgow was appointed to succeed His Excellency Lord Willingdon as Viceroy, when the latter's term of office expires in April next.

**7th. Charges were framed against 122 Moslems for being members of an unlawful assembly at Lahore.**

The work of the police during the Lahore disturbances was praised by the Governor at a special parade.

Forty-two Moslems tried at Rajahmundry on a charge of assaulting several Hindu residents of Chughat.

**8th. Clause 8 of the Bengal Development Bill, fixing the maximum rate of improvement levy on agricultural land, was passed by the Legislative Council.**

Goodwill towards India was prominent at the Empire Parliamentary Conference said Mr K. L. Gauba on his return from England.

The Madras Council rejected a proposal that the clause providing for the oath of allegiance by councillors be deleted from the Bill amending the Madras City Municipal Act.

- 9th The committees of the Bengal National Chamber of Commerce and the Indian Chamber of Commerce interviewed the Revenue Members in connexion with inequities in income tax administration.

10th *Benda Riot—Official regret* —Mr K P Pandey's adjournment motion regarding the serious riot, arson and murder by soldiers of the King's Regiment at village Benda near Jubbulpore in the course of which one villager died and 13 others were injured, was carried in the C. P. Council after nearly 2 hours' discussion. Regret was expressed on behalf of the Government for the occurrence and an assurance was given to the effect that both the Civil and Military authorities were doing their best to bring the guilty persons on both sides to justice.

Quiet was restored in Lahore and British troops were withdrawn from all areas except the Gurdwara.

A new all India Party was formed at Bombay to unite the nationalist forces in India.

Owing to heavy rains, floods were reported from several parts of the Punjab where rail and road traffic had been suspended.

- 11th Protests against the retrenchment measures adopted by the postal authorities were made at the annual session of the All-India Postal and R. M. S. Conference held at Allahabad.

- 12th The Governor of Bengal dealt with the water-hyacinth problem when at Rayshahi he gave a joint reply.

The Bengal Development Bill, which aimed at improving the rural areas, was passed by the Bengal Legislative Council.

Striking tributes to the memory of the late Sir Devaprasad Sarbadhikary were paid by the Calcutta Corporation and the Bengal Legislative Council.

Owing to incessant rain several collieries at Jharia were flooded.

- 13th *Widespread Flood Havoc in Bengal* —Torrential rain in the Chota Nagpur hills was responsible for grave floods in South-West Bengal where widespread havoc had been done. The Damodar river, which was responsible for the devastating floods of August 1913, had risen to an alarming height and was again threatening the fertile plains through which it flowed. Burdwan was the chief sufferer, the low-lying areas of the town being eight feet under water. This was due to the embankment being breached in three places. Railway services were suspended, road communications interrupted and numerous huts swept away. No loss of life was reported, according to an official statement, but unofficial reports said that several fatalities occurred in the Burdwan district due to the collapse of some huts. A reassuring sign, however, was the drop in the water level of the Damodar at Raniganj and there were indications of a further subsidence.

*Flood in Punjab* —North India too, was in the grip of floods, the Ravi, Chenab and other rivers being in spate. Seventeen persons were drowned when a boat collapsed in the Ravi at Lahore, while at Ludhiana a man was killed under the debris when his house collapsed. Gujranwala, in the Punjab, was in imminent danger of further flooding.

- 14th *Flood Havoc in other Provinces* —Railway traffic was considerably disorganised by the floods in Bihar and Bengal and certain trains were diverted via the main East Indian Railway line. Reports from the affected areas revealed a marked improvement in the situation, the Damodar river level having dropped appreciably. A short-notice question in the Bengal Council elicited the fact that the inundated areas in Burdwan town were then practically dry. At Tarakeswar, the Hindus' sacred city flood water entered the precincts of the temple there but not the palace. An unconfirmed message said that the railway embankment was in danger. Heavy rain was reported to have fallen in the Chittagong district where a village had been submerged by the flooding of two rivers. Floods



also occurred in Assam and Burma. In Northern India the river Ravi rose still further, and precautions to deal with any emergency were taken by the authorities at Shahdara, near Lahore.

Divergent views on the Government proposals for the delimitation of Bengal constituencies under the new constitution were expressed in the Bengal Legislative Council.

The Indian Merchants' Chamber draw Government's attention to an alleged breach by Japan of the trade pact with India.

- 15th Villagers in the flood affected areas of the Bardwan district were faced with famine and relief measures were started by the Government.

The debate on the Government's proposals for the delimitation of Bengal constituencies ended in the Legislative Council.

Sir Basil Blackett, Finance Member of the Viceroy's Executive Council from 1922 to 1928, died from injuries sustained when a train crashed into his car at a level crossing in Germany.

- 16th The Bengal Legislative Council rejected a proposal by Mr P Banerjee to abolish the system of plural constituencies in Calcutta. Mr J L Banerjee's proposals for the registration of medical practitioners working in tea gardens, ships and rural areas was also rejected.

- 17th *All India Journalists' Conference* — The All-India Journalists' Conference was held at Calcutta under the presidency of Mr C Y Chintamani, M L C, Chief Editor, "The Leader", Allahabad. The Conference urged the abolition of Indian States Protection Act, the Bengal Criminal Law Amendment Act and Press Emergency Act, objected to the maintenance of the Press Officer in Bengal and demanded immediate abolition of Press censorship. An official resolution which evoked much discussion and which was eventually rejected by 51 votes to 49 was about the training of journalists in Indian Universities. After passing a comprehensive resolution about the welfare of working journalists, recommending recruitment of staff of different newspapers from the register of unemployed journalists kept by the Journalists' Association, the Conference decided to establish provincial associations all over the country asking them to be affiliated to the All India Journalists' Association, Calcutta, which was recognised as the Central organisation.

Hostile action by Upper Mohmand tribesmen on the Peshawar border necessitated air and land action to disperse a lashkar said to number 2,000.

Nine policemen who had been involved in a clash with Moslems were sent for trial at Dacca.

A protest against the Press Laws was made at the Third All India Press Conference in Calcutta.

The C. P. Delimitation Committee's report on the delimitation of constituencies under the new constitution was discussed in the C. P. Legislative Council.

- 18th Mr Sri Prakash who presided over an All India Reception Committee meeting at Lucknow, was obliged to declare the meeting null and void.

The All India Press Conference protested at Government's "competition" with private-owned newspapers.

- 19th *Anti-Terrorist Conference* — The first Anti-Terrorist Conference under non official auspices was held at Dacca, Rai Bahadur Ramprasad Chanda presiding. Resolutions condemning terrorist outrages, and offering full co-operation to the Government for the eradication of the evil were adopted. The Conference suggested to the Government to take immediate steps to provide more employment for Bengalis to relieve the tension resulting from widespread unemployment.

The Bengal Council considered a number of non-official measures including the Race-course Betting Bill.

- 20th *Cost of Detenus in Bengal* — The annual expenditure on detenus for the period 1925-1934 was revealed in the Bengal Legislative Council. The figures were — Rs. 1925-26 47,069, 1926-27 1,19,034, 1927-28 1,58,159, 1928-29

50,976, 1929-30 2,211, 1930-31 1,50,877, 1931-32 9,69,945, 1932-33 13,15,022, 1933-34 19,77,340, 1934-35 21,46,527 Figures for the upkeep and maintenance of detention camps from the time of their establishment were given as —

	1931-32	1934-35
	Rs.	Rs.
Bura	2,93,701	1,49,254
Hijli	2,97,842	3,04,000
Berhampore	42,716	4,23,243
Deoli	62,839	7,03,490

A resolution urging the appointment of a committee to inquire into the working of the Co-operative Department was lost in the Bengal Legislative Council.

The people in Burdwan district were in great distress owing to the havoc wrought by the recent floods and thousands were living on palm trees

- 21st. Indian Chambers of Commerce and Glass Industry** —The Government of India replied to the Federation of Indian Chambers of Commerce letter concerning the Tariff Board's report regarding protection to the glass industry 'The Government of India, while of the opinion that no good object would be served by discussing in detail the various arguments put forward by your committee, emphatically repudiates as entirely false the suggestion that their actions and decisions were in any way influenced by consideration of the probable effects of granting protection on the interests represented by Imperial Chemical Industries or any other companies concerned with the import of chemicals into India'

- 22nd. Empire Parliamentary Conference** —The work of the Empire Parliamentary Association's Conference was described in an interview by Sir Abdur Radim, President of the Assembly, on his return to India yesterday. Sir Abdur said that the conference provided an excellent opportunity for representatives of various countries coming into intimate contact and exchanging views on economic questions affecting the British Empire. As the main object of the conference was only to bring about contact, no formal resolutions were passed. The consensus of opinion among the delegates representing various countries of the British Empire appeared to be that the parliamentary form of government was the best, in spite of recent happenings in certain European countries which had made certain people doubt the efficiency of the Parliamentary form of Government. The Indian delegation supported the parliamentary form of government.

- 25th. Communal Rioting at Secunderabad** —Three persons were killed and 88 injured as a result of the communal riot which broke out in Secunderabad on Friday night following a dispute between Hindus and Moslems over a Rathjatra procession near a mosque. Armed police pickets were guarding the town, and a company of the North Staffordshire Regiment was ordered to hold itself in readiness in case of emergency. Stray assaults and acts of hooliganism continued but timely action by the Hyderabad State Police prevented a large number of Hyderabad Moslems from entering Secunderabad limits.

An agitation against the Government Resolution on educational reorganization in Bengal was launched at a meeting held in Calcutta.

- 26th. Bengal Public Security Bill** —The Bengal Legislative Council passed without a division the Bengal Public Security (Extending) Bill with the non-official amendment limiting the life of the Bill for three years instead of five years as originally proposed. The object of the Bill which replaces the Bengal Public Security Act of 1932, when it lapses on December 31 next, was to confer special power on the local Government to enable them in case of emergency to combat the activities subversive of law and order and prejudicial to public security, for the suppression of which the ordinary powers of the Government were inadequate.

An atmosphere of calm prevailed in Secunderabad but reports were received of a few stray assaults in some of the main streets.

- 27th. A statement on the flood situation in Burdwan and the relief measures adopted by the Government was made in the Bengal Council**

Mr Sarat Chandra Bose was accorded a civic reception by the Calcutta Corporation in the Town Hall.

Acute distress owing to flood damage was reported from various river districts of Bengal but the situation in Assam was more reassuring.

**23th. Future of Bengal Detenus**—The action which the Bengal Government intended to take to make the detenus "see the error of their ways and to become useful citizens," was outlined by His Excellency the Governor of Bengal when he addressed the members of the Bengal Legislative Council. The Government, said His Excellency, had decided upon giving to carefully selected detenus, at the expense of the State, a training which would enable them to assist in developing the natural resources of the country both to their own profit and to the advantage of the country at large. It was proposed, continued the Governor, to train such detenus in those forms of agriculture—fruit-farming, kitchen gardening and the like—"in which there is scope for the intelligence and organising power of the *Madras* youth which have hitherto been neglected." On the industrial side training would be given in the manufacture of articles which would yield a fair profit and at the same time help to make the province self-sufficient. At the end of the period of training these detenus would be released, said Sir John Anderson, provided their conduct and their general attitude had been found to be satisfactory. The Governor made it clear, however, that the Government could never agree to a general release of detenus. "On previous occasions when terrorism has been brought under control detenus who were held in custody as a preventive measure were set at large. Within a short time of their release terrorist activity broke out again, and it was found that it was the released detenus who had been most active in reviving the movement."

## SEPTEMBER 1935

**1st. Indian Sympathy with Abyssinia**—A mass meeting was held under the auspices of the Bombay Congress Socialist Party, in the Jinnah Hall, to observe the "All India Abyssinia Day." Mr Yusuf Meherally presided. A resolution extending fraternal feelings to Abyssinians, condemning the aggression of Italian "Imperialism" and offering greetings to Abyssinians on their bold decision to preserve their independence, was passed. The meeting called upon the mercantile community of the City to resist attempts of Italian agents to purchase stores of war materials for use against Abyssinia and appealed to organise labour, particularly to transport workers in docks and Railways, to refuse to handle such goods. "Abyssinia Day" was observed in Allahabad. A public meeting was addressed by Acharya Kripalani, General Secretary of the Congress and others. Speakers condemned the attitude of Italy against Abyssinia. In Nagpur and Lucknow also public meetings were held and speeches were made sympathising with Abyssinia and resolutions opposing war were passed.

**Mayavaram Political Conference**—The Mayavaram Taluk Political Conference was held at Mayavaram, under the presidency of Mrs. Lakshmiipathi. In her address, the president referred to the sad plight of the mirasdars and ryots of the Tanjore district and criticised the Government's land revenue policy. She stressed the importance of Khaddar, and exhorted the public to give a fitting reception to the Congress President, Babu Rajendra Prasad during his tour in those parts in October next. The conference adopted resolutions favouring the acceptance of office by Congress, condemning the increase of land tax and praying for a graded system of taxation on land as in the case of incomes.

**2nd. Criminal Law Amending Bill**—Sir Henry Craik, Home Member, introduced in the Assembly the Criminal Law Amendment Bill. It proposed to give permanent effect to Sections 7 and 13 dealing with provisions against picketing, and conferring powers on the Government to take action in connection with places used for purposes of unlawful Association. The Government retained their existing powers for control of the Press and of unauthorised news-sheets and newspapers.

**3rd. Indian Troops in Abyssinia Army Secretary's Reply to Assembly Criticism**—An adjournment motion relating to the sending of a small contingent of troops to Addis Ababa without consulting the legislature was allowed in the Assembly on the strict understanding that its discussion should involve no comment on British foreign policy. Comment on such policy, however, continually came to the surface and Mr J G Acheson (Foreign Secretary) had constantly to interpose that this was happening. The member who introduced the censure motion pointed out that a "war was brewing" and said that the House wanted an assurance that Indian troops would not be sent "to participate in this war" without the Assembly being consulted. Mr G R F Tottenham (Army Secretary) explained that the contingent to Addis Ababa was a small one that its purpose was to safeguard the lives and property of British subjects in Abyssinia—most of whom were, in fact, Indians—and that at the time it was dispatched "the Assembly was not in session and therefore could not be consulted. The motion was withdrawn after a debate lasting about three-quarters of an hour, but not before a member had made the suggestion—which the Army Secretary undertook to consider—that it might be as well to have some sort of standing committee, like the Standing Finance Committee, which could readily be consulted on matters involving the transference of Indian troops abroad.

**Pt Nehru Released**—Pandit Jawaharlal Nehru was released from the Almorat Jail following a cable received by the Viceroy that Mrs Nehru, who was in a sanatorium in Germany, was seriously ill.

**4th. Aerial Bombing on North West Frontier disapproved Army Secretary's Reply**—The Government sustained two defeats in the Assembly—one on a motion recommending that immediate steps be taken to equip State Railway workshops with plant and machinery to ensure the manufacture of all locomotive requirements and the other on a motion relating to "the bombing of innocent women and children in a trans-Frontier village by the Royal Air Force." The first motion—which the Opposition carried by 65 votes to 45—opened the way to a general discussion about whether Indian industrialization was being subordinated to the interests of British commerce. The Finance Member (Sir James Crags) denied that such was the case. The particular point of the other motion, which the Opposition carried by 67 votes to 44, was that bombing from the air was an inhumane way of dealing with Frontier disturbances, and the mover's general theme was an indictment on Government's whole Frontier policy. He implied that such disturbances as had recently been occurring "were artificially stimulated and that "the steps taken to deal with them were quite disproportionate to their gravity. The Army Secretary (Mr G R F Tottenham), in reply, argued that air action was the most humane and economical way of handling tribal disturbances and that, in any case before a village was bombed, the population was given at least two days notice to evacuate it. The President (Sir Abdur Rahim) informed the House that the Governor-General had disallowed the adjournment motion "to discuss the failure of the Government to institute an inquiry into the Shahidganj firing because that subject could not be discussed without detriment to the public interest."

**5th. Sir Henry Craik (Home Member Government of India) moved consideration of the new Criminal Law Amendment Bill in the Legislative Assembly**

Twenty-one members of a hostile *lashkar* were killed and 59 wounded in an engagement with British and Indian troops in the Gandab Valley.

**6th. The debate on the new Criminal Law Amendment Bill was continued in the Legislative Assembly**

Restriction of produce and restriction of factory-output were among the plans suggested at a meeting of the Indian Chamber to remedy "the present low trend in Jute prices

**7th. "Red" Leaflets in Chittagong**—The proclaimed area in the northern quarter of Chittagong was plastered with leaflets in Bengali, which were removed by the police. The leaflets were of two kinds, one addressed to students inciting them to terrorism and the other with the caption "Independence", addressed to leading

workers of anti terrorist organisations, warning them against misrepresentation of facts and support to Government in their own interests and threatening them with violence and death if they continued to persist to do false propaganda against the country. The leaflets were issued under the name of Surya Ganatantra Senani, Chittagong (Surya Republican Army).

**8th. "Anti-Repression Day"**—A public meeting was held at Nagpur under the auspices of the Trade Union Congress in connection with the 'Anti Repression' Day, and a resolution was passed, condemning the repressive policy of the Government, and protesting against the Criminal Law Amendment Bill and the Bengal Public Safety Act. The resolution further called upon all elected, especially Congress representatives in the Assembly, to resign their seats and organise mass agitation against the Bill. Prior to the meeting about 500 workers took out a Red Flag procession to protest against repressive laws.

**10th. Protection for Indian Textile Industry**—In pursuance of the Mody Lees Pact and Sir Joseph Bhoré's promise in the Assembly, the Government of India decided that an enquiry should be entrusted with a Special Tariff Board, with a view to find out the extent of protection required by the Indian Textile Industry against British manufacturers, constituted as follows: Sir Alexander Murray (President), Mr. Fazal Ibrahim Rahmatullah and Dewan Bahadur A. Ramaswami Mudaliar (Members). The terms of reference required the Special Tariff Board to recommend on a review of the present conditions and in the light of experience of the effectiveness of the existing duties, the level of duties necessary to afford adequate protection to the Indian Cotton and Textile Industry against the imports from the United Kingdom of cotton piecegoods, cotton yarn, fabrics of artificial silk and mixture fabrics of cotton and artificial silk.

**12th.** The Legislative Assembly rejected by 71 votes to 61 the Government's motion that the new Criminal Law Amendment Bill be taken into consideration.

**13th.** Two Government Bills, both of them intended to extend labour legislation in India, were introduced in the Legislative Assembly.

The Assam Legislative Council discussed a matter in connexion with the scheme for the establishment of a university in the province.

The final reports of collections made throughout India for Their Majesties' Silver Jubilee Fund, show that the total would almost, if not quite, reach Rs. 133 lakhs.

**14th. Benda Murder Case. Charges Framed against Soldiers**—In the trial of 19 British soldiers of the First Battalion King's Regiment in the Benda village raid case Mr. E. Snelson, I. C. S. Additional District Magistrate, committed to Sessions, 3 soldiers on charges of rioting and indecent assault, three on a charge of rioting, one on charges of rioting and causing wanton damage, another on charges of rioting and arson and three and others on charges of rioting and murder. Eight soldiers were discharged. The facts of the case, as shown by the charge-sheet, were that on the night of July 17, Private Kennedy of the King's Regiment went out for a cycle ride near Karundi village and was set upon by villagers, who chased him up to Benda village. Benda villagers rescued him. In revenge, a party of soldiers from the Regiment raided the village of Benda mistaking it for Karundi, and set fire to huts and damaged property. A party of villagers was assaulted and molested, one of them being fatally wounded in trying to rescue his daughter. Seven villagers were also being tried by the City Magistrate, Jubbulpore, on charges of rioting and causing grievous hurt to Private Kennedy.

An intensified campaign against terrorism was outlined by the secretary of the Central Committee of the Chittagong anti-terrorist organisation.

The Bengal National Chamber of Commerce submitted to Government their proposals for checking the growth of "mush-room" Insurance companies and encouraging good business.

The Assam Legislative Council voted a motion to establish a separate High Court at Shillong.

The Senate of Calcutta University decided to delete that part of the University regulations which provides an age limit for admission to the matriculation examination.

**14th** Thirty thousand troops were concentrated between Peshawar and Katsai as a preliminary to large-scale operations against hostile Mohammad tribesmen.

**16th** *Viceroy's Address to Legislature* —In an appeal for a spirit of tolerance and goodwill among all sections of the people, His Excellency the Viceroy, when he addressed both Houses of the Central Legislature at Simla yesterday, repeated his recent warning about the shadow of communal strife over India and announced his decision to return to the Assembly in a recommended form the Criminal Law Amendment Bill which the communal unrest had rendered essential. Communal unrest, said the Viceroy, was a more serious danger at the present time than it had been for years past. The country was on the eve of important Constitutional changes, and he considered it his imperative duty to use such powers as he possessed to secure that the transfer of the maintenance of peace and good government in the new Provincial Governments was to be made in the most favourable conditions. Dangerous subversive movements were still active, declared Lord Willingdon, and he shared the opinion of the Provincial Governments that a retention of the powers given in the Criminal Law Amendment Bill was essential in keeping these movements in check. Speaking of the Reforms the Viceroy said he could give no indication as to the precise time of their introduction but the Government would spare no efforts to introduce the new order at the earliest possible date. He observed that nothing was to be gained by working the new Constitution in a spirit of more destruction or by abandoning constitutional methods. Later in the day the Legislative Assembly refused, by 69 votes to 57, leave for reintroduction of the Criminal Law Amendment Bill as recommended by His Excellency the Viceroy. The Congress Party were not present in the Assembly Chamber during the address, but the Congress Nationalists were.

*Criminal Law Bill Rejected again* —Sir Henry Craik moved re introduction of the Criminal Law Bill in the Assembly with the Viceroy's recommendation. Mr Desai opposed the Bill and said that if there was any constitutional sense in the House, it would refuse introduction out of loyalty to its own verdict which, though recorded by a majority, became a verdict of the House. The Executive merely wanted its decree to be registered and no law, no constitution and no democracy mattered to them. He reminded the Government that a paper belonging to the friendly Press had the decency and honesty to recognise that on analysis the Assembly's verdict was the verdict of the bulk of the country. On the House dividing, the motion for leave to introduce the Bill was refused by a majority of 12, the voting being 69 to 57.

**17th** An adjournment motion to discuss the dispatch of Indian troops to Abyssinia was withdrawn after 40 minutes discussion in the Council of State.

A non-official Bill to repeal the Criminal Law Amendment Act of 1908 was discussed in the Legislative Assembly.

The Assam Criminal Law Amendment Bill was passed in the Assam Council.

**18th** The Council of State passed a resolution urging the India Government to take early steps to pass legislations to prevent the sale of spurious drugs.

The Assembly referred the Motor Vehicles Act Amendment Bill to a Select Committee.

A non-official Bill to repeal the Criminal Law Amendment Act of 1908 was discussed in the Assembly.

The homes of over 20 Labour leaders in Bombay were simultaneously raided by the police who were said to have found literature of an objectionable character.

**19th.** The Congress Party's resolution demanding an inquiry into the handling of relief, salvage and evacuation measures during the recent Quetta earthquake, was defeated in the Assembly.

**20th** *Shahidgany Da* —More than a lakh of Muslims gathered at the Badshahi mosque, Lahore, to offer prayers, which were led by the 'Dictator,' Pir Jamat Ali Shah. Afterwards a procession was taken out towards the Moohigata where a mammoth meeting was held. At the meeting the 'dictator' announced that before descending on the line of campaign he would consult Ulama all over India. As a

precaution, the authorities called out a detachment of Royal Scots which was standing by at the Kotwali, near the scene of firing in July last.

The Legislative Assembly discussed the Indo Burmese Tribunal's report on financial settlement between the two countries upon separation.

A resolution conveying the disapproval of the House of the flotation of sterling loans by the Secretary of State for India, was lost without a division in the Council of State.

The Government's plan to reorganise primary and secondary education in Bengal was considered at a public meeting in Calcutta.

**21st. Bengal Socialists' Conference** —Resolutions condemning the Bengal Government's policy of detention without trial, exhorting all Congressmen to disapprove the willingness on the part of a section of them to accept ministerial offices under the new constitution, opining the development of fundamental demands and rights of the masses as the only solution of the communal problem, supporting Abyssinia's determination to retain her freedom and urging the organisation of peasants throughout the country, were adopted by the Bengal Provincial Socialists' Conference held at Calcutta under the presidency of Mr Jay Prakash Narain. Before the commencement of the proceedings, the Police raided the hall and removed some of the posters concerning detenus. Towards the mid day sitting, several members of the Labour Party who were allowed to enter the hall as visitors created an obstruction, despite the President's request. The House, thereupon, suspended business and removed the obstructionists. The situation was controlled before the arrival of the police.

**24th.** A Council of State resolution urging that the number of cadets admitted in the Military Academy at Dehra Dun annually be raised from 60 to 120, was opposed by the Commander-in-Chief and rejected.

India's case for reforms was spoiled by Congress threats of boycott and "bungling" by Mr Gandhi, said Sir Chimanlal Setalvad in an appeal to all parties to work the new constitution.

A Congress Bill to repeal the Criminal Law Amendment Act of 1908 was taken into consideration in the Assembly.

**25th.** The India Government's report on the working of the Ottawa Agreement during 1934-35 was presented in the Assembly by the Commerce Member.

By 53 votes to 10 the Council of State agreed to take into consideration the Bill to amend the Criminal Law Amendment Act in the form recommended by the Governor-General.

The need for development of civil aviation in India was stressed by the Government spokesman in the Assembly when voting on demands for supplementary grants was taken up.

**26th.** The Assembly adjourned *sine die* after rejecting the report of the Amery Tribunal on financial settlement between India and Burma.

The Council of State passed the Criminal Law Amendment Bill as certified by the Governor-General.

**30th. Crisis in Jute Industry in Bengal** —The origin of the crisis in the jute industry was traced by Mr S K Scott when he presided over a special general meeting of the Indian Jute Mills Association at the Royal Exchange, Calcutta. The meeting was convened to consider a resolution to the effect that six clear calendar months' notice should be given by the Association to the five outside Mills terminating the present working agreement as from March 31 next. The resolution was carried unanimously. Every effort, said the chairman, had been made to bring about a reconciliation of the conflicting interests involved, but all endeavours had failed and the demands of one signatory to the working agreement, which had precipitated the crisis, had not been fulfilled. The signatory had not carried out his threat to withdraw from the arrangement, but it was vital for the Association to decide upon its future course of action. Mr Scott then referred to the Government memorandum and pointed out that the only course of action left to

the Committee of the Association was to proceed with the preparation of a scheme of rationalization of the industry, as suggested by the Government, the first step in which was to determine the present working time arrangement by giving the requisite six months notice, which the resolution would put into effect. There would be no question of determining the present agreement without another agreement ready to succeed it, and this must be decided by the Association at a later date.

## OCTOBER 1935

- 1st. *Bombay Special Powers Act* —Moving the Bombay Special (Emergency) Powers Act Amendment Bill, which sought to make permanent the provisions of the Special Powers Act of 1932, which was due to lapse on December 15, 1935, Sir Robert Ball Home Member said that the object of the Bill was to deal effectively with Communism, terrorism, instigation of non-payment of land revenue and Civil Disobedience. The Home Member dealt with the last three quickly, remarking that while Civil Disobedience had been suspended still it had many open advocates. Instigation of non payment of land revenue was not a criminal offence and organised non-payment for political purposes could not be dealt with effectively by the ordinary law and he asked whether it would be fair to let the instigator go free while the poor cultivator suffered. He thought that Bombay was fortunately comparatively free from terrorism. There were still manifestations of terrorism. But the greatest danger was Communism, which was growing seriously and taking a firm footing in large industrial cities, exploiting the grievances of industrial workers.
- 4th *Bombay Special Powers Bill* —After four full days debate the Bombay Council passed by 53 votes to 36 the first reading of the Bombay Special Powers Extending Bill as amended. The Bill as introduced sought to make permanent the provisions of Bombay Special Powers Act of 1932 which was lapsing on the 31st December 1935. But the House accepted an amendment extending the Act only till 31st December 1938, the Government supporting.
- 13th *Bombay Depressed Classes Decision* —Complete severance of the Depressed Class from the Hindu fold and embracing any other religion guaranteeing them equal status and treatment with other members of the faith was the gist of a resolution passed unanimously at the Bombay Presidency Depressed Classes Conference held to day at Yeola, Nasik District. The resolution was adopted on the advice Dr Ambedkar. He bitterly recounted the treatment meted out by caste-Hindus to Harijans. So far, he said, they had been unsuccessful in their efforts to bring about a change of heart and it was futile to waste their energies and money in further trying to get redress and work in harmonious co operation. He declared that after deeply pondering over a way out, he had come to the conclusion that the best way was complete severance from the Hindu fold. "We shall cease our fight for equality where we are denied it. Because we have the misfortune to call ourselves Hindus, we are treated thus. If we were members of another faith, none would dare treat us so."
- 14th Labour leaders caused an uproar at a meeting of Bombay Socialists called to discuss the question of acceptance of office under the new constitution.  
Mr F. E. James told Anglo Indians in Madras that they must be united and organized to meet the new situation facing their community under the reformed constitution.  
Mr Srinivasa Sastri stressed India's need for citizens capable of instinctive sound judgment to safeguard them against being misled by political and economic "quackdoctors".
- 17th *Bombay Special Powers Bill Passed* —The Bombay Council passed to-day the Bill to amend the Bombay Special (Emergency) Powers Act of 1932. Rao Bahadur R. R. Kale opposed discussion on the third reading of the Bill in a lengthy



speech, in which he said that the Government by passing the Bill were arming the executive with extensive powers, which would affect and lower political tone and public spirit to such a level that responsible Government would be a mockery. Twenty three members of the Opposition then walked out and the third reading was passed by 49 votes against 4.

- 18th. Terrorism on the Decline**—The report on the Police administration in Bengal Presidency for the year 1934 stated that steady pressure by all forces of the Government against terrorist organisations in the province had resulted in another considerable decrease in these outrages and the situation, as a whole, improved due to the incarceration of the chief leaders but there was always the danger and likelihood of new leaders arising and forming parties, which might perform isolated acts of terrorism. Excluding cases that occurred in the jurisdiction of Calcutta Police, there were 14 outrages and other crimes committed in Bengal by terrorists in 1934.

The All-India Congress Committee at Madras adopted the declaration of Congress policy on Indian States.

- 20th. Communal Boycott in Lahore**—The Criminal Law Amendment (Picketing) Act was applied for the first time in connection with the recent communal movement for economic self sufficiency or boycott in Lahore, when Police arrested some Moslems on a charge of picketing a Hindu shop. The accused were alleged to have attempted to persuade three Moslem customers to return cloth purchased by them from a Hindu shop leading to an altercation. In another case, four Hindu youths connected with the recently started Hindu vegetable market, it was alleged, carried away from a Hindu hawker vegetables, which the aggressors believed the hawker had surreptitiously bought from the Moslem market with the intention of selling them to the Hindus as Hindu vegetables. All the four persons were arrested on a charge of highway robbery.

- 21st. Nasik Hindus' Assurance to Harijans**—Resolutions assuring Harijans full equality immediately in social, civic and educational spheres and proposing the starting of country wide propaganda through socio religious organisations to eradicate untouchability were passed at an informal conference of leading Hindus of Nasik, attended by a very large gathering including Reformists, Congressmen and Sanatanists, under the presidentship of Shri Shankaracharya of Karvir Math. Dr. Kuroki The Shankaracharya expressed willingness to accord the support and sanction of his math for the purpose and a deputation of five, composed of Brahmin and non Brahmin leaders, a Congressman and a Hindu Mahasabhaite and a Harijan Sevak Sangh member, was appointed to wait on Dr. Ambedkar to convey to him this assurance and also the message of His Holiness that, if necessary, he was prepared to perform mass conversions and found a new sect with equal status with other sections of Hinduism.

- 25th. Ahmedabad Harijans' Resolve**—"We are Hindus. We shall die Hindus in spite of our manifold hardships." This was the note of the speeches and resolutions passed at a public meeting of Harijans held to day to consider the resolutions passed at the Yeola Conference of Harijans on the advice of Dr. Ambedkar. Speakers declared that conversion to some other faith was no remedy for the ills they were suffering from. The President, Muldas Vishya, a Harijan, said that Dr. Ambedkar would cease to be their leader, if he joined any other religion.

**Hindu Mahasabha Deputation to Dr. Ambedkar**—A deputation on behalf of the Bombay branch of the Hindu Mahasabha, led by Dr. M. B. Welkar, President, waited on Dr. Ambedkar. It was understood that there was frank discussion between Dr. Ambedkar and deputationists, in the course of which Dr. Ambedkar was stated to have assured the deputationists that he would not take any hasty step and would do nothing which would injure the cause of the country or that of the Depressed Classes or the Hindu community. He is stated to have emphasised that as far as the cause of the country was concerned, he was prepared to sacrifice the interests of the Depressed Classes even. Before he advised his followers to take any final decision, he would confer with the leaders of the Hindu Mahasabha and other Hindu organisations.

That a new outlook on their part was called for, was the advice given to the Anglo-Indian community at the annual general meeting in Calcutta of the Anglo-Indian and Dominion European Association

**26th. Communal Tension in Lahore** —A serious situation suddenly developed in Lahore, when a Muslim carpenter ran amok hatchet in hand, and attacked Sikhs and Hindus in the streets. He assaulted four persons, one of whom died later. Great panic prevailed in the locality and police arrived on the scene. A critical situation arose in connection with the funeral procession of the Sikh who was fatally assaulted. Five thousand Hindus and Sikhs forming a procession were stopped by lathi and mounted police outside the Shahalmi Gate, when they attempted to take the procession through the City, against the advice of the authorities. After half an hour's unsuccessful effort to persuade the processionists to follow the prescribed route, outside the city, police made a lathi charge and dispersed them. But the crowd collected again and the police cordon was strengthened. Later, however, Sikh leaders intervened and with their help the authorities persuaded the processionists to follow the prescribed route. With a strong police guard the funeral procession reached the cremation ground. There were no further incidents.

Various matters affecting the community were considered by the Anglo-Indian and Dominion European Association at its session in Calcutta to day.

"Let not Dr Ambedkar's just wrath deject the reformer," declared Mr Gandhi in a signed article in the "Harijan" on the depressed classes' decision to break with the Hindu religion.

**31st** Speaking on the new Indian Constitution at the European Association dinner in Bombay, Sir Homi Mody emphasised that goodwill was the best safeguard for Britons in India.

## NOVEMBER 1935

**2nd. Exclusion of Hindi in Frontier schools** —The Honorary Secretary of the Hindu Maha Sabha addressed a letter to the Secretary to Government and Director of Public Instruction, N. W. F. P., protesting against the recent order of the Frontier Government excluding Hindi and Gurmukhi from being the medium of instruction from 3rd and 4th primary classes onward and making Urdu alone the medium of instruction both in boys and girls schools. When the Frontier Council opened session on Monday, all the elected members of the Minority Party absented themselves as a protest against the elimination of Hindi and Gurmukhi in primary schools.

**3rd. Girls chosen for Aviation Training** —Three Bengali girls who were selected by the Committee of Das Roy Memorial Fund for an hour's flying-test were Miss Rama Gupta from Sylhet, Miss Indu Moulk, Lahore student and Miss Anjali Das lecturer, Bethune College Calcutta. Scholarships of Rs. 1,000 and Rs. 500 for a course in Aviation at the Bengal Flying Club, Dum Dum, would be awarded to two from the above three girls who would be successful in the flying test which would take place shortly. There were 21 applicants including one from Travancore and two from Lahore.

The labour franchise clause in the new Congress constitution was giving rise to a good deal of "hypocrisy", said Mr Sampurnanand in his presidential address at the Nagpur Divisional Political Conference.

The Indian Chamber of Commerce, Calcutta, addressed the Government of India on "the necessity of treating railway receipts as a negotiable instrument as recommended by the Central Banking Inquiry Committee."

There was some rowdyism at a meeting of the Lucknow group of the U P Hindu Sabha and the police had to be called in to restore order

- 4th. Communists and Radicals came to blows at a meeting in Bombay under the Presidentship of Mr B G Horniman

Dr Rabindra Nath Tagore received a letter from a friend in Iraq in which it was alleged that a systematic attempt was being made to oust a number of Indian traders from that country

That terrorism—which was “only a phase in India’s political life”—was dying out, was the opinion expressed by Swami Sampurnananda, presiding over the Nagpur District Political Conference

The Indian Jute Mills Association, Calcutta, informed the Government of Bengal that the latter’s suggestion for the rationalization of the industry was not a practicable proposition at the present moment

- 7th. The need of a new orientation in Moslem policy was stressed by Sir Sultan Ahmad who opined that his community were faced with great responsibilities under the new India Act

- 8th. *Shahidganj Day* —Fifty thousand Muslims, most of them carrying unsheathed swords, axes, and spears, formed one of the largest processions seen in connection with the Shahidganj agitation, which marched from Badshahi Mosque in Lahore after prayers, through a one and a half mile route in a thickly populated part of the city to the Delhi Gate. The entire police force was on duty and strategic points were guarded by armed police. Hindu shops en route were closed down as the procession was passing. The procession reached Delhi Gate without any incident. The police formed a strong cordon round Kotwali, while all approaches to the Shahidganj Gurdwara were closed by means of barbed wire. The processionists attended the public meeting in front of the Delhi Gate. A meeting of prominent Muslim leaders held to devise ways and means for the restoration of the mosque was reported to have passed a resolution not to pursue negotiations with the Sikhs

- 9th. Several important resolutions were passed at a secret conference of Moslem leaders in Lahore in connexion with the Shahidganj Mosque dispute

- 10th. *Hindu sacred books burnt* —To symbolise their decision to leave the Hindu fold, 800 Depressed Class youths from villages in Nasik District met at a conference at Nasik Road and performed “obsequies to Hinduism” by burning the Manu Smriti and other Hindu sacred books upholding Untouchability. The Conference was organised by the Nasik District Depressed Class Youth League. Several speakers addressed the gathering at which a number of Muslims were also present to watch the proceedings. A pyre was prepared into which books one after another were ceremoniously thrown to the accompaniment of funeral orations detailing the offending passages in the books. A resolution was also passed asking Harijans not to participate in Hindu “Jatras”, not to visit Hindu holy places, not to give money to Hindu priests and not to observe Hindu festivities. It was also announced that the Temple Entry Satyagraha and Agitation Committee be dissolved forthwith

- 10th. *Death of Mr Devadhar* —Mr G K Devadhar President of the Servants of India Society, passed away in Bombay after an illness lasting for six weeks. Mr Devadhar had been keeping indifferent health owing to diabetic complaint for some time. His body was removed to the servants of India Home at Sandhurst Road from the hospital. Mr Devadhar’s funeral took place on Monday. Several members of the Servants of India Society and the Seva Sadan came down from Poona, specially for the funeral

The South India Liberal Association (Justice Party), at a meeting in Madras, approved the programme of work drawn up by the leader of the “self-respect” movement.

Thirty Bengalis, including a woman, appeared before a special tribunal at Alipore on a charge of conspiracy to wage war against His Majesty the King-Emperor

**18th. Economic Sanctions against Italy Imposed** —The economic sanctions against Italy, imposed by the League of Nations and agreed to by 50 States, came not force to-day. The Government of India, in common with the Governments of other members of the League, issued an order banning the export of arms, war materials and certain key products. The latter included many metals, rubber and transport animals. The import into India of goods from Italy and her Colonies had also been banned and a financial Ordinance prohibited the granting of loans and credits. Panama, however, now announced that she agreed to the application of sanctions 'only in principle' and pleaded that she was governed by special circumstances because of her geographical position and the Panama Canal treaty. In Italy life had been revolutionized to meet the sanctions. The port of Naples worked overtime to complete the loading of ships before the formal application of the restrictions.

**23rd.** Nine men were sentenced to various terms of rigorous imprisonment at Faridpur for possessing an unlicensed revolver and for conspiring to commit an armed dacoity.

**24th.** A protest against the alleged unreasonable levy by the E I Railway of freight charges on coal despatched from the Raniganj coalfields was made by a Calcutta firm before the Railway Rates Advisory Committee.

The problem of mass illiteracy in Bengal and possible remedies were discussed at the Hooghly District Teachers' Conference in Calcutta.

Tributes to Andrew Carnegie's philanthropy and his work for world peace were paid when the centenary of his birth was celebrated in Calcutta.

**29th. Communal Riot in Lahore** —Lahore was again the scene of communal strife. A large number of Sikhs and Hindus attended the procession in connection with the observance of the Shahidi Day in memory of Guru Tegh Bahadur. This procession clashed with a Moslem crowd near the Mochi Gate and a number of persons were injured. The police had to open fire. This incident was followed by other minor skirmishes and stray assaults and two Hindu shops were looted. It was reported that two were murdered and a considerable number injured. After the enforcement of the Curfew Order the city was stated to be quiet. Stringent control of the city by the military and police continued. A few days previous to the communal riots, a murderous assault was made on a Sikh, it was alleged, by two Muslims in Sheikhupuria Bazar, a predominantly Muslim locality. The assailants, it was stated, took the Sikh by surprise and whipping out daggers, stabbed him, inflicting deep wounds in the head and abdomen, and ran away. The wounded man was rushed to the hospital where he died subsequently.

**30th.** "Our universities must be judged by their products," observed Sir Tej Bahadur Sapru in his Convocation address to Patna University.

The communal situation in Lahore was reported to be extremely serious, the police having had to fire shots to disperse an unruly mob.

His Excellency the Governor of Bengal speaking at the St. Andrews Day dinner in Calcutta, uttered a warning against too strong a sense of security against the menace to terrorism.

## DECEMBER 1935

**1st. Death of Mr. Deep Narayan Singh** —The death occurred at Bhagalpur of Mr. Deep Narayan Singh, well-known Bihar Congress leader and member of the Legislative Assembly. Though born in wealthy circumstances, Mr. Singh preferred the struggles of a patriot and suffered incarceration as member of the Congress Working Committee in 1930. He had created a trust of his large landed properties for industrial and technical education.

**Communal Riots in Lahore** —Serious communal rioting was renewed in Lahore to-day, resulting in the death of two persons and serious injuries to 40 others. Saturday's incident outside the Mochi Gate, when "Shahidi Day" processions were alleged to have been stoned, caused grave tension in the city and stray

assaults occurred in various quarters, culminating to-day in a clash between a Sikh Jatha and a Moslem crowd. News of the clash spread with great rapidity and Mobs of Sikhs and Moslems, armed with daggers and swords, attacked each other while another Sikh Jatha proceeding towards the police to fire by Moslems in the vicinity of the Badshahi Mosque, compelling the police to fire two shots in order to disperse them. No one was injured as a result of the firing. The curfew order was promulgated by the authorities and the public were warned that those found taking part in rioting were liable to be shot. A further contingent of 300 Indian troops of the 14th Punjab Regiment was sent from the cantonment to assist the 200 troops already in the city. His Excellency the Governor of the Punjab, speaking at the St. Andrew's Day Dinner at Lahore, declared that the embittered communal situation in the Punjab was prejudicial to the future of the province. "The new Constitution," said His Excellency, "given a fair chance, will tend to assuage rather than aggravate communal relations. It must, however, be given a fair chance and at present it is being given no chance at all."

- 2nd.** The communal situation in Lahore was now under control and the Criminal Law (Amendment) Act, 1935 was enforced throughout the Punjab.

The question of the composition of debt settlement boards in Bengal was debated at length in the Council when the House resumed discussion on the Agricultural Debtors Bill.

- 7th.** *Lala Harkishen Lal Sentenced*—Lala Harkishen Lal, ex Minister and prominent businessman of the Punjab, was sentenced by the Chief Justice and Justice Munroe to two months' imprisonment each on two charges of contempt of court arising out of his alleged disobedience of the orders of the High Court and the Lower Court not to draw money from his concerns. Their Lordships directed the sentence to run concurrently. It was further ordered that Lala Harkishen Lal should remain in jail till he was purged of the offence by a humble apology and by paying back the money. Lala Harkishen Lal was alleged to have received about Rs 50,000 from different concerns in contravention of the Court's orders. Before pronouncing the order, the Chief Justice asked Lala Harkishen Lal "We wish to give you a final opportunity to humbly apologise to this Court. We want an answer, yes or no." Lala Harkishen Lal. No Sir. Their Lordships rejected the request for bail for enabling the accused to appeal to the Privy Council.

- 8th.** The amendment of the Indian income-tax law to allow of the carrying forward of business losses, was urged by the Bombay Chamber of Commerce before the Indian Income-tax Inquiry Committee.

- 10th.** An important pronouncement on the communal situation in Lahore was made by His Excellency the Governor when he explained the policy of the Government to two separate deputations of Hindus and Moslems, respectively. Referring to the Shahidganj dispute, the Governor reiterated that the Government policy was to obtain a solution by consent if possible, and, if not, to uphold the decisions and orders of the civil courts.

- 16th.** *Associated Chamber of Commerce*—His Excellency the Viceroy opened the Associated Chambers of Commerce annual meeting at Calcutta. Addressing it the Viceroy referred to India's economic recovery and urged Europeans to co-operate in working the reforms.

- 17th.** *New Cr. L. A. Act comes into force*—The Criminal Law Amendment Act of 1935 which was rejected by the Assembly during the last Simla session and passed by the Council of State on September 28 and assented to by the Viceroy on October 4 came into force from to-day. A gazette extraordinary was issued to-day to that effect.

- 18th.** *Pandit Malaviya's 75th Birthday*—Few Indians had touched the current of national life at so many points or influenced it so beneficently as Pandit Madan Mohan Malaviya whose seventy fifth birthday was fittingly celebrated at the Benares Hindu University to-day. As political leader and legislator, scholar and educationist, he had laboured for more than fifty years with a tirelessness and a single-minded devotion that earned for him the unbounded respect and admiration of his countrymen. Amidst the trials and disappointments inevitable in

public life, he was sustained by that devout religious spirit which looked for satisfaction in duty well done and an unconquerable optimism which, in his case had truly shown itself to be the faith that moved mountains. The respectful homage of the millions of his countrymen went to him on this auspicious occasion.

- 19th All India Philosophical Congress**—The eleventh session of the Indian Philosophical Congress opened under the presidency of Rev. A. G. Hogg of Madras, at the Senate House, Calcutta. Dr. W. S. Cragh, Chairman of the Reception Committee, welcomed the delegates. Sir Mamathanath Mukherjee, Acting Chief Justice, delivered the opening address. Rev. Hogg in his address, stressed the need for alert watchfulness against any tendency on the part of new physics to assume the garb of philosophy. But even more urgent, he said, was it to day that the metaphysically minded should apply their critical gifts in the realm of social philosophy and ethics. He said, "Western civilisation is now in the melting pot and the emergence of Bolshevism, German National Socialism and Italian Fascism means that mankind is standing at a great parting of the ways. There is call here for radical thinking of the most strenuous kind."

**Bengal Education League**—Criticism of the Bengal Government scheme for a reorganisation of primary and secondary education in the province was made at a meeting of the Bengal Education League in Calcutta.

- 27th** Mr. Rajendra Prasad opened the Khadi Exhibition at Bombay the first important ceremony preceding the Congress Golden Jubilee celebrations which began to-day.

Mr. Shyama Prasad Mukherjee, Vice Chancellor of the Calcutta University presided over the eleventh session of the All India Federation of Education Associations at Nagpur.

The need of greater co-ordination between Indian workers and the Congress party was being carefully considered by Union and Congress representatives at Nagpur.

- 28th Golden Jubilee of the National Congress**—Scenes reminiscent of the First National Congress were witnessed at the hall of the Gokuldas Tejpal Pathshala, in Bombay, sacred to votaries of Indian Nationalism, when a representative all-party gathering assembled under the presidency of Mrs. Sarojini Naidu to extend Jubilee felicitations. In the very same hall the Congress had met 50 years ago under the presidency of Mr. W. C. Bonnerji, the illustrious son of Bengal and sowed the seed of freedom. Among those present were Pandit Malaviya, Sardar Vallabhbhai Patel, Babu Rajendra Prasad, Sir Govindarao Pradhan, Messrs. K. Natarajan, Jannadas Mehta, M. S. Aney, Shankar Ali, Hussambhai Lalji, Mathuradas Vissani and several others. Earlier, Congressmen came in a big procession from the Congress House and other parts of the city. Babu Rajendra Prasad unfurled the Congress flag. Pandit Malaviya then unveiled the commemoration tablet fixed at the entrance to the main hall, where the first Congress was held. A Rashtriya Sammelan was held in the afternoon under the presidency of Babu Rajendra Prasad. The afternoon function commenced with a mammoth procession from the Azad Maidan, led by the Bombay Mayor, Mr. K. F. Nariman, and other members of the Bombay Provincial Congress Committee. Labour and other political schools of thought joined the procession. The police had made elaborate arrangements to preserve peace throughout the route. A strong posse of constables, armed with lathis, were posted at every street corner. The procession swelled to 50,000 before it reached the Gokuldas Tejpal Pathshala. Ordinary traffic was suspended throughout the route till the procession passed. The Golden Jubilee of the Congress was celebrated throughout India in a grand manner.

**All India Women's Conference**—There was a large and representative gathering including the First Princess of Travancore, Sir C. P. Ramaswami Aiyar, Lt.-Col. Garstin, Mrs. Garstin, Miss Muriel Lester, Mrs. Margaret Sanger, Miss Solomon and prominent men and women of Travancore present in the new Theatre Hall, Trivandrum, where the tenth session of the All India Women's Conference met. Her Highness Maharani Sethu Parvathi Bai of Travancore presided. Surveying the progress achieved by women in various directions towards the removal of their disabilities, the President stressed that the fundamental problem of women was not political nor even social but economic. The solution of their problems, said Her Highness, depended on securing economic independence. To achieve this

and was the work before the Conference. Resolutions were passed urging the universities to take steps for the establishment of properly supervised hostels for women students and the necessity for introducing methods of birth-control through recognised clinics.

**Liberals' Conference** —A plea for entering the Councils and accepting office under the new India Act was made by Mr T. R. Venkatarama Sastri in his Presidential speech at the meeting of the National Liberal Federation at Nagpur. "Wrecking as a programme is of questionable wisdom, and refusal to accept office and responsibility in any circumstances is refusal to make those contacts and associations that make smooth the path of work and achievement," said Mr Sastri. The conference passed a number of resolutions, the first of which urged nationalists of all parties to work the new constitution even though it had been thrust upon India. The conference also opined that no constitution could satisfy Indian opinion which did not approximate as nearly as may be to the constitutions of the Dominions and concede to the people of India the full rights of national self-government with the irreducible minimum of reservations for a short period fixed by statute.

**Calcutta Jubilee Hiccup** —Regrettable scenes of an attack upon a peaceful meeting by a mob of 5,000 Muslims who were alleged to have gathered in Desha bandhu Park to say their 'Id prayers formed the feature of the morning celebrations in Calcutta of the Golden Jubilee of the Congress. The incident occurred after the National Flag was hoisted in the Park by S. J. Hardayal Nag. The meeting, which was largely attended, included many women and children who, fortunately were safely removed from the scene of disorder into neighbouring houses which formed the subsequent targets of stone-pelting by the Muslim mob. Two noteworthy points in this connection were that the Muslims, who came to pray, had lathis ready with them, and that the Congress meeting was announced in the papers regularly for several days previous. Apart from this incident, the celebrations in Calcutta were marked by great enthusiasm and all public parks, the Corporation buildings and thousands of private houses had the National Flag up.

Tribute to the work of European scholars was paid at the annual meeting of the All-India Orientalists Conference at Mysore.

At a popular meeting held in Lahore resolutions were passed urging the Government of India to take steps to protect the cultural and religious rights of minorities in the Punjab.

**9th Trade Union Conference** —The second session of the National Trade Union Federation was held at Nagpur, Mr Jannadas Mhata presiding. Prominent among those present were Mr N. M. Joshi, Mr B. Shiva Rao, Mr R. R. Bakhale, Mr S. C. Joshi and Dr P. P. Pillai, Director, I. L. O., New Delhi Branch. Trade Union Congress members, Mr R. S. Ruiker, Mr Nimbkar and five others also attended. The Federation passed resolutions extending greetings to the National Congress on the occasion of its Golden Jubilee and hoping that the unification would result in the strengthening of Labour movement through the efforts of the Joint Labour Board. Another resolution expressed satisfaction at the inauguration of the Asiatic Labour Congress, the first session of which was held in Colombo in May 1934, and hoped it would bring together workers of Asiatic countries under one organisation with a view to improving the standard of life. It further appealed to the I. L. O., Geneva to take steps to hold at an early date a Maritime Tripartite Conference.

**Hindu Mahasabha's Criticism of the Reforms** —The session of the Hindu Maha Sabha, held at Poona with Pandit Malaviya in the chair, passed a resolution opining that the Government of India Act was a highly inadequate, unsatisfactory and disappointing measure in that it was designed more to tighten the grip of British rule over India and disintegrate Indian public life than transfer real power to the people of India. The Maha Sabha further condemned the Act, as it had sacrificed the interests of the Hindu community to those of other communities in India. The Maha Sabha was of opinion that elections to the Legislatures should be contested with a view to protecting and upholding the Hindu interests in the Legislatures and leave it to the Provincial Hindu Sabhas to take steps in that connection wherever necessary.

# **India in Home Polity**

**(INTRODUCTION)**

**July—December 1935**





# INDIA IN HOME POLITY

JULY—DECEMBER 1935

## I "PARLIAMENTARY WORK"

The latter half of the year 1935 was a period which did not witness history being made or unmade in India. The fight between the Congress and the Government had ended in an apparent victory won by the latter. The return of the Congress to the sanity and sobriety of "constitutional methods" was regarded by its critics as a matter of necessity rather than one of choice. If it were to continue to function at all with any substance or show of political effectiveness, it must, so it was thought, function mainly as a constitutional opposition to the Government by fighting the subservient or reactionary elements in the polling booths and the Treasury benches and their henchmen in the Indian legislatures. This so-called "Parliamentary" work of the Congress was not, however, proclaimed by Congressmen themselves as the only possible or profitable work under the circumstances which being left undone would spell "Othello's occupation gone". In the Congress circles, there was more than half alive a recognition that the so-called "Parliamentary" work in the atmosphere of irresponsible unreality that prevailed in the legislative chambers could not by itself invest with reality and seriousness the "hollowness and mockery" that Congress opposition in the chambers practically meant. Congressmen would not set much store by the direct fruits of the labours of the Opposition. It was the indirect results of such Parliamentary work which were considered to be of any value. One of such results aimed at and expected was to show up the unreality of the existing constitutional machinery itself by demonstrating how that machinery worked blissfully disregarding of the votes and resolutions carried by the popular parties in the legislatures. By such demonstrations the autocratic character of that machinery would stand unmasked, and this, it was thought, while dispelling the last lingering faith in the practical suitability of the existing arrangements, would lash into a vigorous and concerted activity the spirit of Indian self-rule and democracy wherever it might be found flagging or faltering. This was believed to be the positive gain to which the "mock fight" in the legislature might lead. Apart from this, the Parliamentary work was expected to be a source of mass political education on a scale and of a nature which, in the event of mass direct action being non-existent, could not be ensured by pretending or even trying to prosecute a comprehensive social and economic programme. The requisite motive power for a dynamic drive of the constructive programme would not be generated in any measure apart from political stimulation of sufficient volume and intensity having been provided. And such stimulation could be secured best by putting forth some form of political fight. Failing direct action, this could be secured only by following the policy and plan of the Swaraj Party of a decade ago or of the Congress Parliamentary Party of to-day. This was the

psychological appreciation of the Indian situation by those Congress leaders who founded the one Party or the other

## II 'THE FIRING LINE'

Possibly, their action was also based on a psychological appreciation of some of themselves or some of their followers. There are some men who are born fighters. They are sick when they cannot smell "gun-powder". Fight is the vital breath of their nostrils. It is no use asking them to retire from the "firing line", and work in the "dull and drab" atmosphere of village reconstruction and rural uplift work. The work may be conceded to be important, but it cannot be laid on shoulders constitutionally unsuited to bear it. We must find a different band or set of workers. In fact the freedom campaign is a process which consists of parts which together should form an organic whole. Just as we require a body of "sappers and miners", so we require others whose business it is to fight, and still others whose business it is to replenish, supply, safeguard and consolidate. Behind the firing line and even far away from the base, there are quiet fields of silent strenuous toil which feed the fighters, and busy factories of sweating labour which clothe and comfort them and forge and feed their arm of offence or defence. Can these fields and factories be abandoned or neglected? While some men must be drafted to the front or kept as reserves, some others must "stay at home" to do a vital work and render an essential service without any hope of spoils or laurels. These "stay-at-home" people are no "shirkers", and though perhaps you have drafted to the front every able-bodied person who can bear arms and has the mettle to fight, you can hardly afford to forget the "old folk, women and children" who are left behind to toil and suffer in silence and die practically "unhonoured, unwept and unsung."

## III THE CONSTRUCTIVE PROGRAMME

There was, accordingly, nothing unnatural in the whole of the freedom movement in India being split up into parts. But it is unnatural when the parts lose their organic relation to one another, and instead of furthering antagonise and defeat one another. It is also unnatural and unhealthy when they are wrested out of their natural and logical order of ratio proportion and mutual fitness. When you have drafted an army of five millions, you must provide arrangements at the base and also at home proportionate to and adequate for its requirements. You must also take a sufficiently long and wide view of the requirements. Now, the question as to the Congress Parliamentary Board versus the Village Industries Association for instance, is not whether either of them is necessary or unnecessary but whether they are properly co-ordinated to each other and proportionately correlated to the total and final object which the Congress has in view. If and when the constructive programme of the Congress—especially seeking to implement the famous Karachi Resolution formulating the Fundamental Rights—can be pushed on upon a sufficiently large and intensive scale, that programme and not the Parliamentary work should be allowed to loom large on the Congress horizon, and the essentials of that programme and not the pomp and pageant of Parliamentary work should

be permitted to capture the imagination and engage the thoughts of the people and the band of workers. Even when men and munitions" sufficient unto the purpose of the constructive programme are not readily forthcoming, the essential part of Congress activity should be directed to the production and regulation of the ways and means whereby men and munitions sufficient unto the purpose can be, as speedily and efficiently as possible, put together and organised. The Parliamentary work will be a help or a hindrance according as it helps or hinders, directly or indirectly, this essential work. The nation can hardly afford to pay for the political education which it receives at the polls and in the Council chambers under the existing conditions, if that education should require payment in terms of the distraction of its thoughts from its most vital problems and the dissipation of its energies in activities which, under existing conditions, are bound to be more or less unreal and non-essential. What it loses in the Council game should not be allowed to be larger than what it actually gains. Not to ensure national gain over national loss—and this should be shown clearly in a properly balanced balance sheet—is a plan of national economy which will sooner or later land us in national bankruptcy.

#### IV "THE POWER THAT DRIVES"

It is of course true that in a subject country where imperial interests necessarily reign supreme, economic regeneration, social emancipation and their allied problems—the constructive programme to wit—must be content to lie indefinitely in the background if they be not substantially "out of the picture." In an independent country the power that should drive the essential constructive programme comes partly from the State and partly from the people themselves. We may cite for example the Five Year or Ten Year Plans in some of the progressive countries of the West and also of the Far East. There the interests of the State and the people very nearly coincide, and the Constitution is so devised and so worked that they do as nearly as possible coincide, and, that in the event of their being at variance with one another, the collective will of the people as opposed to the will of the State do prevail. Where the Constitution is equal to this function, the required change is effected by a change of government. Where it is found unequal to it, it is changed agreeably to the changed expression of the collective will of the people. And this change may mean a simple reform or it may mean a revolution. Independence and democracy thus create and maintain conditions which not only bring the vital interests and essential problems of the people always to the front, but they ensure that these and not any others are attended to first and most of all. A subject nation may have no real politics. But it has no real nation-building work either apart from real politics. No Indian constructive programme worth "the candle" can be pushed through without the substance of Indian self-rule. This is now admitted as an evident truth by practically all schools of political thought in India. Rightly, therefore, has the Congress, as the premier political organisation in the country, stressed the need of our attaining Swaraj before we expect to see or put our economic, social, communal and international house in order. We must re-earn our control over

our own resources in "men, money and munitions", before we can expect to make a rapid and successful campaign of economic and social redemption

### V "GREATEST GOOD OF THE GREATEST NUMBER"

That the State—even of the Purna Swaraj kind—exists and functions not as an end in itself but as a means to an end which is corporate well-being, is also a proposition of evident truth. The State should so exist and function that it may systematically produce and conduce to the "greatest good of the greatest number". This greatest good, again, should be understood and appreciated in accordance with a rational and comprehensive scheme of values involving economic and social good at the base and cultural and spiritual good at the top. The State is an agency and instrument for the consolidation and furtherance of such a scheme of values. In other words, for order and progress. It is an agency and instrument ordinarily far more organised and powerful than any other. The Church had been a powerful rival and history furnishes us with examples of many a theocratic State that had been in vital being and virile function in the past. The Church has now ceased to be a rival and a co-ordinate authority. In matters temporal it now occupies a subordinate rank and a superannuated position. Whatever may be the extent and import of the indirect influence still exerted by it, upon temporal affairs, matters spiritual only are suffered to remain under its sway. But we need not here enlarge upon the question as to what should be and what in fact is the legitimate sphere and function of the one as compared with those of the other. Their relative position is readily seen not only in Soviet Russia where the orthodox Church has been "cornered", but also in Rome where the Vatican and Papal authority still "reigns" side by side with the "Capitol" and the mighty Roman Eagle perched on it, once again fluttering its new flegged feathers. Is not the Dictator Duce supreme for all earthly purposes? Could the Vatican have prevented, if it had so wished, Italy from going on an war of ruthless aggression brought to a finish with aerial bombs and poison gas against a poor, black, unmechanised, inoffensive Christian country which had never till now felt the heel of the conqueror upon its neck?

### VI THE STATE

The State is practically all-powerful everywhere. To turn this power to the best all-round advantage of human corporations is the task which confronts statesmanship. It used to be thought that a democratic State is the one best conducive to this end. That idea has not been quite discarded, though democracy has been practically supplanted by dictatorships in some "advanced" countries, and has been judged, to be a failure upon its present merits, by many political thinkers. It has begun to be more and more clearly perceived that political democracy, to the extent it is not based upon, consistent with or conducive to economic and social democracy, is only a mixed good in which the ratio of good and evil may vary according to conditions, and this, under certain conditions, may involve even the preponderance of evil over good. That democracy is heaven is thus not a categorical

but a conditional proposition. Every form of government must be content to possess this kind of relative, justification, conditional title only.

Now, India has a form of government. It is not a democratic government. Like the Nazi Government in Germany or the Fascist Government in Italy, it is not a government of the people's own choice. Possibly, as our critics say, an Indian people to make a choice one way or the other has not existed and still does not exist. However that be, the Indian Government such as it has been and such as it is going to be in the near future must be prepared to abide by the same tests by which all governments will be judged, and its title and justification are no more and no less than what they are found to be in such adjudication.

## VII "THE EMPIRE SENSE"

In a recent speech Sir Samuel Hoare—who after leaving the India Office became Foreign Secretary and had to be "sacrificed" for a time at the altar of British bungling on the Abyssinian question in the League Council, and has now returned to the Cabinet apparently not with a feather sacrificed from his cap—has said that the strong point of the British Commonwealth of Nations is the possession of "Empire sense" by all the members of the Commonwealth. This represents a higher phase in the further development of what one would call the "Nation sense." It represents a level of higher synthesis in the evolution of the political consciousness of peoples and races. Perhaps it does if the Commonwealth or the Empire should exist and function as something more than a mere name or a mere form. Even higher than this is the synthesis which Sir Samuel calls the "world sense." The League of Nations would have passed the test of Italo-Abyssinian War had the parties that met to confer in the League Chamber developed a world sense or even an "Empire sense." England, France and Italy were all there in the League. But it so turned out that while England, possessing the biggest and richest Empire on earth was there with a full-blooded "Empire sense" and France, coming a poor second at her heels, was there with a half-blooded one, Italy which yet dreamt of the glory that the Roman Empire had been in the past and the glory that the Roman Empire would be in future, was in the League with an "Empire sense," not in actual being and function, but with an "Empire sense" in the violent throes of its birth. That "Empire sense" has since been born in vigorous flesh and blood in a nursery of bomb and poison gas. It seems that this new-born Italian "Empire sense" has not been ushered into existence with the blessings and good wishes of those who have already possessed it in a fully developed shape. The new born Italian sense of Empire is so very much alive and kicking already that the "boss" among the Imperialist Powers now feels that some of its liveliest kicks have been soundly administered to it that only British prestige in the world has suffered, but British Imperial interests are more or less in jeopardy in spite of the protests and assurances of the New Roman Empire. It seems to be a long way, therefore, from the present phase in the evolution of "Empire sense" among the nations of the world to that

consummation to be devoutly wished for the dawning of a "world sense" which should make the League of Nations a ready, dependable instrument of collective security

### VIII. "THE NATION SENSE"

We in India are believed to have an unwordly or other-worldly sense to our credit or discredit. This has so long stood in the way of our reaching the phase of what we have called the "Nation sense". We are a part of the British Empire no doubt, but we cannot yet claim that we are a member of the British Commonwealth of Nations. Even the new Indian Constitution, which Sir Samuel Hoare himself planned and forged on the anvil of the British Parliament, is not such as may reasonably be calculated to bring speedily or even naturally into being an "Empire sense" in us. Nay, it is commonly feared that the working of that Constitution on the basis of essential reservations on the one hand and narrow communalism on the other would hinder and not help the birth of the Nation sense in us—which is said to be the first phase in the political maturing of any country.

### IX THE TESTS

The tests to which our present or prospective Dispensation must be subjected are, therefore, simple, and they may be formulated in two or three questions. First—Are the conditions created or promoted by that Dispensation such that they will create or promote, naturally and speedily the sense and substance of Indian unity, community and solidarity? Second—Are the conditions such that by far the greater part of Indian resources, material and spiritual, will be utilised for the purpose of the economic, social, cultural and spiritual welfare and uplift of the Indian people? In other words, will the vital interests of India matter most or the interests of the Empire to which India does not, on a footing of equal partnership belong? Third and the last—though not the least—Are the conditions such that the vital interests of the masses as compared with those of the classes will carry their just, adequate and proportionate weight in any adjustment that may be made?

When the Gandhi-Irwin Pact was made and the Labour Prime Minister made his declaration of Indian policy at the Round Table Conference, not only was full responsible government declared as the Indian goal to be as speedily reached as possible, but that, even during the brief transition period that would intervene, only such reservations and safeguards were to be made which were demonstrably in the interest of India. Now, in view of this declared policy, one would like to put a few simple questions. Does the new India Act that has been passed envisage in an Indian member of the British Commonwealth of Nations such as will, for all practical purposes, be the master of her own destiny like the self-governing Dominions? In other words, does it give us a promise of "the substance of independence" or even inspire with a hope that this will very likely, be granted to us? Will the transition period be reasonably brief? Does the duration of the transition period become definite or does it remain indefinite in the moving picture of Indian destiny? The goal is far off. It will take us

some time to reach it whether we crawl or whether we run. But shall we crawl or run? That will depend upon conditions. A categorical answer is out of the question. No doubt. But will the conditions be within our control or beyond? Will factors other than ourselves continue to dominate and determine the conditions? Then again, the question of the duration of the transition period—assuming that in the Act you have even tacitly contemplated one such—cannot be dealt with apart from the question of the kind of reservations and safeguards proposed to be imposed or maintained during the transition period. The duration will manifestly be determined by the conditions—handicaps and barriers—that are imposed on the way. Some may be calculated to regulate progress, but others may retard it. Some others may even make progress impossible. If the conditions imposed be demonstrably regulative of the process of the momentous experiment of self-government now proposed to be made in India, then all shades of nationalist opinion “out of Bedlam” will recognise the importance of such conditions and agree to accept them in substance. The Round Table Conference, which was practically “sabotaged” when the *de facto* Conservative Government came into Power in England, was a device, however niggardly designed and slovenly worked, to reach an agreement of this kind. But the device failed principally because no agreement was seriously intended or sought to be reached with the one political organisation in India competent “to deliver the goods.” The Irwin and Willingdon Pacts with Mahatma Gandhi had laid down the terms of the agreement, but the will or inclination to implement the agreement in spirit and in substance was not much in evidence in the highest quarters where the power to implement them lay. Immediately after Gandhi’s return from his practically fruitless labours in England, there was a call to arms on both sides. Nor is it a profitable job to enquire now which side fired the first shot in the grim fight that followed. The fact of the matter was (and still has been this)—the British authorities were not prepared to make peace with the Congress except on their own terms, and the Congress was not prepared to co-operate except on its own terms. And neither party failed to recognise that its “own terms” and those of its opponent were “poles asunder.”

### X THE CONDITIONS IMPOSED

So nationalist India headed by the Congress has not accepted the conditions imposed during the transition period—always assuming that one is actually intended—as being regulative and helpful. They are commonly judged to be unduly restrictive or even as prohibitive. They are demonstrably not in the interest of India. Even moderate or liberal politicians in India have denounced the White Paper and the Bill framed on it not only as giving us stone when we asked for bread but also as giving us stone which looked like bread and was in reality a stuff both unwelcome and unsuited to our famished stomach. It was the liberal leaders who generally made a most ruthlessly destructive criticism of the constitutional proposals. And Congress and the more advanced schools of politics connected or unconnected with the Congress have not, except in a mood of self-forgetfulness and temporary spinal softening, taken up those proposals as offering something even worthy of inspection. It now appears, however, that their attitude in



relation to the new order to be established under those proposals is no longer—"we will not touch it even with a pair of tongs" Even under the present "manifestly" irresponsible dispensation, the Congress hand in white khadi gloves is seen to "touch" the "mailed fist" of the Bureaucracy Will it be to grip the mailed fist as now, or will it be to shake it in cheer and press it in gratitude when the new order eventually comes? Acceptance of office is said to be the logical outcome of Council-entry Will shaking hands with the powers that be—we shall not say "hobnobbing" which lately brought an influential Calcutta English Daily into trouble—be the logical outcome of that outcome, namely, acceptance of office? Let those who are expounding the logical outcome theory come out with a clear and categorical reply

## XI. NEW PROPOSALS

The official valuation of the new proposals has been uniformly high The world economic depression and the attendant gloom of pessimism have never been allowed to demoralise and dim the political optimism of the gods on whose exalted lap lie the destinies of India. On the 16th. of September, H E the Viceroy, addressing both the Houses of Indian Legislature (be it noted that the Congress members with the exception of the Congress Nationalists boycotted the function) gave us an official estimate of the labours of the Indian Constitution-makers and of the fruits thereof We shall quote the words of His Excellency—

Since I last addressed you the Government of India Bill has received the Royal assent and has become the Government of India Act, 1935 A great and difficult task has thus been completed by Parliament, after an expression, direct or indirect, of the views of all sections of the peoples of British India and prolonged consultation with the princes of India here and in England Views of every nature, extreme or moderate, advanced or conservative, have been expressed We have all sought to obtain this provision or that in the constitution and we have all sometimes succeeded and sometimes failed It is the business of men of practical wisdom now to forget the individual issues upon which opinion has differed and to consider the sum and substance of our total achievement On such a consideration we must, I think, conclude that the gain to India is great I do not, therefore, on this occasion desire to invite your attention to any of the particular provisions of the Act, but I would ask you to consider two broad features of the new constitution and desire to give you, if I may, one word of advice It is a matter of great satisfaction to me that during my Viceroyalty there has been made possible a consummation which many of the great rulers of India through the ages desired to see but did not see and which was hardly in sight when I myself took office over four years ago I mean that the Act for the first time in the history of India consolidates the whole of India, State and British, for the purpose of common concern under a single Government of India for the first time, and can become one great country The second broad feature is contrast with the existing constitution is that the Government of India under the new constitution will draw their authority by direct evolution from the Crown, just as the Dominion Governments do They will cease to be agents and will stand forth as full political and juristic personalities, exercising the function of his Majesty The first feature to which I have referred is the consummation of age-long efforts, not only of the British Government but of all great rulers in India, from Asoka onwards The second feature is the necessary preliminary and best augury for the full attainment by India of the political character which the most developed of his Majesty's dominions enjoy My experience of India now extends over two decades and I have also had no inconsiderable experience of the history and practice of political life in the other parts of the British Empire It is out of that long and full experience and out of the genuine sympathy which I have ever felt for India's political aspirations that I give you this word of advice Nothing is to be gained by working the constitution in a spirit of mere destruction or by the abandonment of constitutional methods.

The new constitution contains within it great potentialities of development. Everything is to be gained by taking up the new proffered role of a consolidated India and a full political personality and by developing the constitution till it in due season sheds those limitations and restrictions which have been designed for the period of its growth. The abandonment of constitutional methods has never led us anywhere in the past and will never lead us anywhere in the future. It will not be my task to introduce the new constitution nor to join with you in its constitutional and I trust, harmonious development.

So on the authority of H E the Viceroy himself we have this that under the new dispensation the diverse peoples of India will develop for the first time during the course of their long history extending over many a millennial span the first pre requisite of their earthly salvation, viz an united India sense. And this will be followed by the second pre-requisite, viz a Dominion of the British Empire sense, or, in brief, Dominion sense. A Federated India, no longer an agent, but "full political and juristic personality", will be a necessary preliminary to the attainment by her, in the fulness of time, of the fulness of her political stature, viz Dominion status. Meanwhile, the fulness of her political and juristic personality will be a necessary preliminary to and the best augury for the attainment by her of that consummation.

## XII REAL AUTONOMY

Needless to say that nationalist India could not claim that either of the two great and salient features of the new Order drawn by H E with such a bold and sure hand was able to capture its fancy or fire its imagination. That a Federated India now emerges for the first time into being during the long and varied and eventful course of Indian history may or may not be a fact beyond dispute. But waiving that question the vital questions to put are these—Has not the whole of India, State and British, in fact possessed a unitary character under British rule practically since Her Majesty Queen Victoria directly assumed the reins of India Government and proclaimed herself the Empress of India? Will Federated India be substantially a distinct entity—distinct from what she practically has been—under the working of the new scheme? Will the federated units—Provinces and States—be substantially other than what they are now? Federation to be worth anything must invite three things. The federating units must be autonomous save to the extent that their autonomy may be limited under the terms of their federation. The federal whole must be autonomous save to the extent its autonomy has been limited by the autonomy of the federating units. And it is by their own consent and agreement (expressed through a Constituent Assembly for example) that the federating units must define their respective spheres of autonomy viz a viz the sphere of autonomous power to be enjoyed and exercised by the federal whole. This presupposes that autonomy in every case is real. Law and Order, Defence, Communications, Commerce and Industry, the "Nation-building subjects", Foreign Relations, and last but not the least, Finance, must all come within their autonomous sphere. Every State in its normal and healthy state bears the character of organic unity, so that its various limbs or departments and their respective functions are so related to one another that it is not possible to

make or try to make some of the limbs and their functions autonomous, maintaining or trying to maintain outside autocratic control over other limbs and their functions. In trying to keep up an hybrid system of part-autonomy and part-autocracy you run counter to the natural course of the process which from the very nature of the thing, must possess the character of organic unity, co-relativity and coherence. You are bound to find yourself between the horns of a dilemma. If the autonomy enjoyed and exercised by some limbs be real, your reservation and control of the other limbs must be unreal. Real autonomy will consist with unreal or make believe autocracy only, as in the case of the self-governing Dominions under the Statute of Westminster. If, on the other hand, your reservation and control of some of the limbs be anything like real and effective, the autonomy left or granted to the rest must be of an unreal character. This dilemma was driven home with tenacity and vigour by the "die-hard" members of the House of Parliament during the passage of new India Act through its various stages. And though the Official Benches pretended not to perceive the force of the dilemma, the clauses and provisions of the Act ultimately hammered into shape by the high architects of our Indian destiny were such to make the constitutional reservations and the "irresponsible" responsibilities possessed not only of a predominant reality, but one practically paralysing the reality supposed to be conceded to some limbs of the dual wonder conjured into being. The dual wonder is an hybrid thing of a make both crude and complicated, and whatever else we may call it, we cannot call it a living, natural organic thing functioning, growing and perfecting itself by its own intrinsic vital urge. It is a mechanised medley of diverse parts and divergent tendencies somehow welded together by a force other than life's law and rhythm.

### XIII. THE EXPERIMENT

The experiment should have been a natural and logical one, and, therefore, eminently successful, if instead of actually retaining or tightening control over the vital centres of the Indian body politic, England had permitted the Indian body politic to function as a really autonomous organism freely exercising all its limbs, and stood by as an ally and friend extending a helping hand in case of need. It may be that a liberated and free India, left to herself, may occasionally stray into the morasses or sometimes even run into disaster. While such mistakes and accidents made and met on the way leading to true democracy have, commonly, to be accepted as "part of one's job", and as helps rather than as hindrances to the fruition of the arduous process by which any nation aspiring to build its stamina and earn its manhood must set about its business, the helping hand of a friend, co-operator and guide must also be acknowledged as being helpful and welcome in cases of difficulty and need. Nationalist India had hoped that England might be wise to play the role of such a friend in need and guide in leaving India free to manage her own affairs. It would have been wise not only in view of the interests of India, but in view of the interests of England herself, taking a broad, long-range view of the interests of either country.

## XIV AUTONOMY AND AUTOCRACY

But instead of this, short-sighted statesmanship has foisted upon India a "Constitution" which is an anomaly and an absurdity in so far as it has essayed to marry autonomy to autocracy, responsibility to irresponsibility. The two belong to naturally different kinds, and they can hardly with success be made to "cross", and they are bound to be barren, or else, productive of a monstrosity, if they be somehow made to. Even under the existing scheme, there have been ministries in charge of the "transferred" subjects functioning in the Provinces. Those ministries have not been responsible even to such indifferent legislatures as have been in existence. They have been brown or black in colour, and this, together with their lean, meagre aspect, has been their practically one distinction in the solid, compact, complacent setting of white bureaucracy. We have had Indian ministers just as we have had Indian members of Executive Councils. The former have shaped their policies and executed them under conditions over which they have had but little control—policies and acts which have, accordingly, to be judged as good or bad only with reference to the conditions of their office, and only so far as they fall within the ambit of their choice. What, for instance, can a minister for education, sanitation or self-government do with crumbs thrown from the sumptuous table of the reserved side? Even major policies in his own department cannot be his own, they must fit in with the design and working conditions of the "framework of steel." An "English Friend" writing in the columns of an well-known Daily has with a touch of grim and humour, said—Politicians have not been wanting in India ready to work any scheme, good, bad or indifferent, that may be started "for what it may be worth." It may have been worth 5000 or 3000 thousand rupees per month to them. But what has it been worth to countless others? It is now seriously proposed that the Congress Party should also work the new constitution for what it may be worth by accepting office under it. Of course the Congress will work the Constitution in order to "wreck" it. But will it then wreck the Constitution also for what it may be worth? Congress Presidents in the good old days of Congress sanity and sobriety sometimes used to rise one fine morning to find themselves elevated to the Bench of an High Court or perhaps translated to the salubrious heights of Simla in charge of a safe and snug portfolio, or even, occasionally, installed on the gadi of a Provincial Governor. The C P has, for instance, "chosen" two of its acting Governors from the ranks of Congressmen since the Congress definitely crossed the rubicon of constitutional agitation. An acting Provincial Governor in Gandhi cap and khaddar is perhaps worth something as meaning a new spirit and symbol. But the "English Friend" very pointedly asks—What will the new Order be worth to those Congressmen who will accept ministry under it? Will it be worth 5 or 6 thousand rupees per month? The Congress had fixed Rs 500 as the maximum salary to be drawn by any person holding office under a democratic government established in India. In view of the appalling poverty of the masses, even that would seem to be a bit too high.

## XV VITAL ISSUE

The issue is a vital one. As we have said before, the Parliamentary work of the Congress may be considered to be a necessary work without being necessarily an essential one under the conditions created by the new Order to be established. It may be that, ultimately, the A. I. C. C. will make up its mind in favour of office acceptance by those who have persuaded themselves that they can render the best account of them by controlling the switch-board of the future Government through the ministries. Office acceptance may even be generally recognised as the logical outcome of fighting the elections and of Council-entry. And as it will not be possible nor perhaps desirable to let alone the elections and boycott the legislatures, so it will not be desirable, though it may be quite possible, to resist the logical conclusion from the admitted premises of fighting the elections and entering the legislatures. Now, the important question is this—will the premises or their logical conclusion be used or rather abused as constituting an argument virtually denouncing the true Congress ideal and Congress methods? Will it be an argument for or against that ideal and those methods? Perhaps we shall be told that whilst the Congress ideal is something definitely fixed and beyond question, the Congress methods, from the very nature of the circumstances, must be, and must be allowed to be, more or less elastic and variable. Direct action, for example, cannot, possibly or even logically, be the practical Congress method in all circumstances. The question of method, more than the question of ideal, is a question of practicability. This is true. But the supreme test of the practicability of a method is not whether it is suited to the circumstances, but whether it is really consistent with and conducive to the end that we have in view.

## XVI PSYCHOLOGICAL REVOLUTION

In a recent speech Mr Bhulabhai Desai—the leader of the opposition in the Central Legislature—has said that the one solid achievement by the Congress Movement under the leadership of Mahatma Gandhi has been this that it has produced “a psychological revolution” in the masses of India. This, in so far as it is real, is a great gain. In fact, this is—and not the two features of the new Constitution to which the Viceroy draws our attention—the necessary preliminary to and best augury for the attainment of Swaraj by India. Now, this psychological revolution being successful on a sufficiently broad scale will create or improve those conditions which are essential not only for the political but also for the economic and social betterment of the lot of the people. Those conditions must be primarily ethical. In other words, the Congress Movement must aim at producing not only a change in mass ideas and feelings, but also in mass character and conduct. A programme of mass suffering and sacrifice in a voluntary way for the sake of any great ideal is calculated to produce the requisite ethical revolution on the basis of the psychological that has been, (as it is claimed) to some extent, already brought about.

## XVII REVOLUTIONARY MENTALITY

Some Indian politicians—especially those who have drawn their inspiration from the ample Moscow Fount—speak of a “revolutionary

mentality" in the Indian masses as being the *sine qua non* of any great advance to be made by them in any vital direction. This talk may well disturb the peace of those people who have their vested interests bound up with the *status quo*, and who, therefore, naturally dislike the *status quo* being disturbed by movements of violent change. Evolution or reform at a leisurely measured pace is all that will suit their ideas or their convenience. Some nations having reached the mountain top through centuries of strenuous toil sometimes forget or pretend to forget all about that tremendous uphill toil, and recommend to peoples in the sunken valley aspiring to reach the same mountain top a slow, easy, comfortable pace which suits best those who are already on the high table-land. So we may find a nation that has made its destiny through many a revolution—of often of a sanguinary character—giving as a recipe evolution or slow, steady reform to other nations aspiring after the same consummation. The fact of the matter seems to be this that there is no royal road—evolution or revolution—leading to the mountain top. The road has to be made at each step with solid blocks of national suffering and sacrifice, and whether you have to crawl sometimes or jump, whether your pace will be easy or difficult, will depend upon the conditions of your ascent stage by stage. Evolution or revolution as an abstract proposition is scarcely of any practical help.

#### XVIII EVOLUTION VS REVOLUTION

In the case of India, for instance, evolution may be the reasonable plan and not revolution as regards some aspects or phases of her national development. But as regards other aspects the reverse may be true. That is to say, we require revolution and not evolution. A subject nation long accustomed to subjection acquires a defeatist, slave mentality with all that it implies and connotes. In one word, we may call it "the defeatist complex." It is a state of mental torpor, inertia and despair. It works as a disintegrating, disorganising, dissipating factor in the mass mind. There appears antagonism of tendencies and conflict of interests where there should be co-operation and community. We in India have long been familiar with the symptoms of this unhealthy complex. But we have not always been very painfully or even consciously familiar with them. They have tended by their cumulative action through centuries to produce what we may call a kind of spiritual paralysis and anaesthesia in us—both motor and sensory.

#### XIX. MASS HYPNOSIS

Obviously a curative and educative plan must be devised so that we may shed this morbid complex of mass defeatism. Should it be evolution or revolution? If we have taken five or six centuries to get into this morbid complex, shall we also take five or six centuries to get out of it? The complex in question is partly one of Mass hypnosis—sometimes "herd" auto-suggestion—and partly one of habit. A process of slow, prolonged, palliative, tentative cure is not suited to the nature of the case. If the Congress has in fact been able to produce a psychological revolution in India, it has done the right thing in the right way. The mass mind should be rid of its paralysis and anaesthesia—it should

be awakened to the reality of its actual condition and to the importance and urgency of the ideal to which it has to move. While saying this we are not referring to either Socialism or Fascism or to any other alternative plan of mass control and mass emancipation. Apart from plans of one kind or other, the first healthy reaction to be expected and brought about in a mass mind paralysed like that of India is the warmth of expansive feeling and the freedom of released consciousness. It is the feeling of the fetters—spiritual and material—that bind, and the consciousness that the fetters are going and will go. In the paralysis, neither the one nor the other exists. The first healthy reaction is but a psychological release without as yet being a new psychological adjustment. A new adjustment is the stage that follows. In that stage, the mass mind consciously sets about the business of finding out the nature as well as the *modus operandi* of a new adjustment. We do not think that the mass mind in India, except on a very restricted scale, has reached this second phase. But has it reached even the first stage on an economically, socially and politically effective scale? The Congress movement has attempted to carry it, even "rush" it to the first stage and with no mean success. But even a Congress "fanatic" will not claim that the process of release is anywhere near its completion. The process started has to be continued and accelerated. And its acceleration must not conform to a leisurely timescale. The sooner you can make the mass mind feel its unfelt fetters and its latent urge to out-grow them, the better. There can be no dallying with a death-like collapse which, unless speedily removed, will irrevocably freeze into the grim reality of death.

#### XX THE FIRST LINK IN THE CHAIN

If, therefore, the Congress movement has in fact produced a psychological revolution, it has produced something which being there other links of the chain connecting us with the heaven of our high hopes will easily and naturally forge themselves. But the first link must be forged first and forthwith. We have compared the process to a chain, but it is not mechanical forging but vital growing, which implies that, through every new and successive effort and feature of growth, what has grown already further nourishes and perfects itself.

#### XXI THE QUESTIONS

Now, remembering this, we have to judge any programme by putting a few simple questions.

Will Council-entry and Office-acceptance programme help or hinder the process, already started by the Congress movement, forging the first link in the chain? Will it continue and accelerate "the psychological revolution" in the masses? Some form of direct action is still thought, and will continue to be thought, to be the most potent factor contributing to the progress by all the wings of the Congress, right or left, ultra or middle. But it is thought to be not possible, not even perhaps desirable, in all circumstances. Now, barring direct action, what should be the most essential and effective programme of the Congress? The Socialist wing on principle is not in favour of having anything to do with the working of a machinery which is part and parcel of the system of imperialism. From their point of view, that machinery can

hardly be wrecked from within by maintaining a fighting co-operation. That fight from within is hardly the reality of fight. It may even weaken and not enhance the chances of a real fight being undertaken by us. We have been familiar with this argument ever since there has been a tug of war between the "Changers" and "No-changers" in the Congress camp. We need hardly examine that argument afresh. But we may observe that the country generally, as distinguished from extreme sections here and there, has now settled down to a recognition of the Parliamentary work and the sort of fighting co-operation (real, unreal or semi-real) that it implies, as being a practically valid and helpful programme which will work as a break upon the "unwanted" Constitution if it cannot wreck it, and it will also give the masses a political training on a large scale requisite for the purpose of our being able to understand and appreciate the real and possible conditions in which a constituent assembly for formulating and demanding Purna Swaraj can be brought down from the clouds.

## XXII. REAL AND POSSIBLE CONDITIONS

It is the view of the man in the street, and we think it is, in the existing circumstances, substantially correct. But note that the political training which comes in the wake of the Parliamentary programme is believed by the man in the street to make us only *understand* and *appreciate* the real and possible conditions in which a constituent assembly can be materialised and its sanctions implemented. Which does not necessarily mean that the real and possible conditions are themselves realised in any adequate measure by that sort of political training.

## XXIII. THE THREE PARTS

We have divided the Parliamentary work into two parts—Countryside and Office-acceptance. It consists obviously of three. Fighting the elections is the first part. Now we may do the first part and stop there. We may do the second part also and stop there as now. And we may, as now asked by a section of Congressmen, proceed to do the third part also. The uses and abuses, advantages and disadvantages, of each part have to be carefully considered. They have to be considered separately as well as jointly. It may well be that whilst the first is good, the second may be only tolerable and the third positively bad. If you work it in all its parts, it may be more good than bad in the resultant. We are stating the case in certain abstract propositions. But definite and concrete answers have to be found. And they have to be found with reference to the forging and perfecting of the links of the chain of which we spoke before.

## XXIV. STIR UP LIFE

The man in the street or the plain man with his plain commonsense, while recognising the need under the existing circumstances of some kind of Parliamentary work being undertaken by us, will not make such work the main road of national advance for us. He will require the Parliamentary work to be "sanctioned" and supported by a vital background



of intensive constructive work. That constructive work need and should not suggest a "dull and drab" atmosphere devoid of the thrill, or even of the stir of life. It is precisely to stir up life that the constructive work should be undertaken. There are fetters, economic, social and political, which have arrested and imprisoned life. At bottom they are psychological and ethical complexes. The fetters can be removed only by an effort that produces a psychological and ethical awakening and expansion. The Promethean spark must enter and spiritual thaw must set in. And this can be effected only through a course of voluntary suffering and selfless sacrifice. The sudden heat of the polls or the occasional thrill of the Council Chamber will not effect it.

### XXV THE VICIOUS CIRCLE

We should carefully avoid moving in a disastrous vicious circle while thus adjusting our Parliamentary work to what is loosely called the constructive work. Constructive work has an inner and an outer side. On the inner side, it means the psychological education and moral training of the masses and classes whereby (1) they become conscious of their individual and group limitations, (2) they feel an urge to outgrow those limitations, (3) they have an appreciation of the means and methods by which the limitations can be outgrown, and (4) they create and develop conditions—in terms of organised ideas, feelings, character and conduct—favourable to a successful employment by them of those means and methods. In one word, it is mass education in ideas and feelings, character and conduct. On the outer side, the constructive programme means the requisite kind of economic and social planning. Education in the ordinary sense, sanitation, rural and urban self-government, promotion of agriculture and industry, development of the resources of the country, equitable distribution of wealth, removal of social injustice and injustice pertaining to the production and consumption of economic goods—such matters naturally fall within the framework of the constructive programme, and they must be so designed and worked as to fit in with one another and tone one another up. The pattern of the framework and the plan of adjusting the pieces to one another within the framework will, of course, have to be carefully thought out. The Socialist party is there with its pattern. It may be a good pattern, but the world has not yet been converted into an acceptance of that pattern as being the best of all patterns in this the worst possible world of ours. The Congress, as a national organisation, should endeavour to build a sufficiently broad and solid platform of ideology and plan upon which all socio-economic tendencies and political persuasions may meet and may devise and develop effective concerted action. The economic, educational, sanitary, and, in some cases and respects, the social condition of the masses of men in this country is so abysmally low, that practically all able and willing hands should now join with one another in the first urgent immediate salvage operations of succour and relief. Till then the issue between socialism and individualism need not or even should not, be shelved, but it need not and should not be stressed either to a point rendering a joining of all hands in the common act of immediate succour and relief problematical or impossible.

## XXVI THE ANT-HILL

The Communal impasse for example in which we now find ourselves may really be an "ant-hill" in view of the tall and steep mountain top of Purna Swaraj to which we are to march up. If it really be only an ant-hill, we shall be better advised to skip over it or leave it aside for the present. But it is seriously doubted if it be only that, so that it can be lightly skipped over or carelessly left aside while we are on the march. To many it would appear as an abyss over which there seems to be no suggestion of a bridge as yet, no excuse for a ferry across. Mighty eagles always soaring high and loving to dare may well try a bold leap across and may succeed. But what about those who are trudging along the road, cripple in body and feeble in spirit? But let us go back to our point. We do not suggest that the issue between socialism and individualism is only an ant-hill that may be skipped over or left aside in the route march for the present. It is undoubtedly an important and vital issue. An ideology and plan on the lines of the one or those of the other, or else, on the lines of a happy helpful golden mean, if that be possible, should not only be thought out but even worked from now. It is a kind of work that cannot, obviously, be made to wait. Since it gives you one or other pattern to work on or work after, and you cannot work without some pattern or other being given to you to work on. We cannot pretend to be unmindful of the socio-economic issue so long as the political issue may be pending. Even if we think, as many of us do, that the political issue is of such insistence and urgency to-day that we should grip it first and with all our strength, the other issues, the solution of which partly depends upon that of the political issue, cannot be kept in abeyance in a state of suspended animation. They must be live issues all the time. Nay, we must see to it that they are made more and more live issues as we proceed with our grappling with the political issue. Because the solution of the political issue is also in part dependent on the fulfilment of some very exacting socio-economic conditions. It is not to be dreamed that the socio-economic effort and condition of the Indian people remaining substantially what it now is, it will rise one fine morning in full possession of Purna Swaraj. A change in that condition is a pre-condition to its earning Swaraj. Then also, Swaraj, especially Purna Swaraj, is not an abstract entity. It has a character and a form. That character and form will be determined by the socio-economic *ensemble* of conditions as they evolve as we forge ahead.

## XXVII. PROGRAMME AS AN ORGANIC WHOLE

It should be recognised, therefore, that any programme of Indian national advance must be worked as an organic whole, that whilst the task of acquiring control over the machinery of State—a most potent instrument in the conduct of the affairs of any nation—must be given the importance which is its due, the concomitant task of creating or preparing conditions or sanctions by means of a comprehensive and intensive constructive programme must also not be niggardly treated or neglected. It is by such a programme that you can expect to produce

"sinews of war" sufficient unto the purpose. Congress campaigns have repeatedly failed to reach their objective because of the lack of sinews of war sufficient unto the purpose. It is a truism that is also true. Those who have borne the brunt of the battle have, generally, been drawn from a class which, for economic and other reasons, is not quite equal to the task. The Congress has perhaps started a revolution in mass psychology, but it cannot be claimed for it that it has yet succeeded in preparing and pushing the masses to "line up."

In all progressive countries—even in Soviet Russia which now 'tends to become more and more respectable and respected'—the party holding the key of destiny may, in fact, be a minority. But it is a minority able to prepare and push the majority to line up with it. It is by such ability that Hitler or Mussolini commands 90 p. c. votes. So Congress Members actually signing the creed and the pledge may at any time be but a drop in the sea of India's countless millions. But it should be a drop round which the sea must revolve. It should be like a centre or nucleus controlling the vital economy of the cell of Indian mass life. Its effective value in the political fight will depend upon its possessing this character.

## XXVIII {THE CASE OF RUSSIA

The Communist party in Russia—even now supposed to be a minority—was able to overthrow Czarist regime and oligarchy because it had been able to acquire the substance of this character. During a space of barely fifteen years it has been able to change the whole aspect, material and spiritual, of its own country and also, to some extent, of countries coming within the spare of its influence, because it has possessed and perfected this character. And now by proposing a New Constitution it intends to establish a real democracy in place of "the dictatorship of the proletariat" with its high voltage barbed wire fencing that has so long been jealously maintained. This need not be interpreted as a gesture of despair. It is not a surrender to forces of reaction. It may well be that the dictatorship has been in the nature of a preparation for real democracy which, it may be thought now exists in theory and form only in the so-called free countries of the world. Democracy has lain prostrate under the iron heels of the capitalist-imperialist system. Now Soviet dictatorship may be believed to have provided a course of revolutionary discipline through which a *Demos* in reality has at last emerged into being. Such a *Demos*, it is thought, will no longer be a doll, a dummy, a dupe. Has it not operated clean away every kind of obnoxious parasitic growth that has lived and grown at the cost of the host organism by systematic exploitation? Whether this claim will or will not be justified by the final result is a different question. But there can be hardly much room for doubt that it has been a courageous, crucial experiment not directly in democracy but in the preparation for democracy. The experiment has been in the nature of a work, as much constructive as destructive, undertaken by a minority possessing potent, definite ideas and dynamic, resolute will. That party first organised and mobilised forces which brought the State machinery absolutely under its control. Then—  
- with the help of that machinery it has organised and mobilised condi-

tions essential for real democracy. It has sought to secure economic and social democracy as the foundation for political democracy.

### XXIX FOUNDATIONS FOR DEMOCRACY

We in India have also to prepare for laying the foundations for democracy. Which does not mean that we must proceed exactly or even broadly as Russia has proceeded. Ours may, or even should, be a different kind of experiment—an experiment not only suited to our Indian conditions, but also consonant with the genius and tradition and destiny of India.

### XXX THE VICIOUS CIRCLE STATED

Meanwhile we must avoid moving in the vicious circle of the thought that thinks that no constructive work worth the name can be successfully prosecuted without first getting control of the machinery of government, and that no successful effort for getting such control can be made without first creating and organising and mobilising by constructive work forces sufficient unto the propose, that we should make all our national activity flow into the one channel of political struggle, and that no national activity worth flowing in that channel will be available unless and until the springs of such activity are properly worked making it possible for that activity to intensify and amplify itself and cut its own channel.

### XXXI VIRTUE IN THE VICIOUS CIRCLE

Obviously there is virtue in both halves of the vicious circle. From which it must follow that India's political struggle and the work of creating, organising and mobilising "men, money and munition" required for that struggle must go on side by side. Not only that. We should learn from our past experience of the Congress struggle and also from the experience of other countries including Soviet Russia aspiring to grow to the fulness of their political, economic and social stature, this important, key lesson that a political or other programme cannot with advantage be rushed before its time, that is to say, before the sanctions for it have been allowed to create and mature themselves to a required degree. So long as that required degree has not been reached one should not dream of rushing one's programme. As we said in our last Introduction, we in India should not allow ourselves to be deceived by the illusion of Russia, Italy, Germany, Turkey or China "rushing" their Plans. They seemed to rush them and with success, because the conditions had been made ready or nearly so making a swift, successful campaign possible or even inevitable. Our conditions are very different. They are bound to be so in the state in which we have been for centuries. The conditions appear to be unusually bright when the country rises for one moment on the crest of a Congress movement. But the country rises to fall (releasing and acquiring some potential strength no doubt), and the unusual brightness of the picture soon proves deceptive and fades almost into a death-like pallor. It looks like being a *maya*.

### XXXII. "STANDING ARMY" OF WORKERS

The Congress campaign has, apparently, failed again and again for many reasons some of which are quite patent. Some of the causes are latent or hidden, and they require to be brought to light by careful probing and analysis. We shall not here attempt anything of the kind. One of the patent causes has, however, been this. We have prosecuted a most arduous campaign of national effort without a "standing army" of workers. We have depended upon such "volunteer" officers and men as may have heard the call and offered themselves for service. The Congress has not yet seriously attempted to raise and possess a "conscript or win a regular, standing army" of national workers of any strength and dimension. And it has not seriously thought of creating and possessing "training camps" where its army of workers will learn and commonly render service. Need we tell what sort of training camps we should possess and where? They should primarily be where the workers must daily and hourly, come in vital contact at every point with the 90 p. c of the people of India. They must be of them and with them.

### XXXIII THE TRAINING CAMP

The training and recruiting camp should be a place where rural and urban uplift work will be done. Education, sanitation, economic relief, adjustment and improvement, class co-operation and communal amity, are included in that work. In every one of the laes of Indian villages for example, we should have a "colony" of our workers which should be a model or object-lesson exerting its beneficial moulding and reforming influence on the whole amorphous mass of the village. It should be an inspiration and a model. And it can become so only through abiding love and sacrificing service. The atmosphere need not be felt as all "dull and drab". Since the primary task will be to train the village in the school of full autonomy or self-government on the basic lines of economic, political and cultural co-operation. And those lines may very well be Indian in inspiration and expression. It is required to lay and burn the bricks with which to build the glorious edifice of Indian Purna Swaraj. We have to organise a Soviet unit or Commune there, not following Russia or any other country, but after our own best pattern. The work is as engaging as it is important. Only by organising this work on a large scale will it be possible for the Congress to recruit, train and perfect an efficient "standing army" of national workers. Only thus can sanctions sufficient unto its purpose be developed.

### XXXIV. ECONOMIC ISSUE VS POLITICAL ISSUE

As regards the question how the economic issue should at present be considered in relation to the political issue, we may quote a few lines from a letter of Pandit Jawaharlalji published in a recent issue of the *Amrita Bazar Patrika*. We quote without implying that we are in perfect agreement with the expressed views of the Panditji. Our disagreement, so far as we can appreciate those views, chiefly relates to the current or living value to be attached to the ideology and plan involved in the best Indian civilisation and Indian tradition in which

the Soul of India has lived and functioned and the Genius of India created and expressed. We do not think that the Moscow pattern presents features of sensuous beauty only. It is not an experiment on and with the flesh only. It is a pattern of undoubted spiritual significance. But we do think that this pattern should not be allowed to replace or even "cross with" our own best pattern. Moscow is to be a teacher from whom we learn, but not a *guru* whom we follow.

"For the present, we have to deal with the political question. But the economic question, though theoretical at present, is intimately bound up with the political side and we cannot ignore it. What shape it will take I cannot say, though my own view, as frequently stated, is that the solution will be along Socialist lines. What I want is the discussion of this issue so that our ideas may be clarified. So far as businessmen are concerned, I do not want to commit them to any particular economic doctrine but I do think that they must line up, on the political issue, with the advanced forces in the country. And they should further realise that big economic changes are necessary and should consider them."

### XXXV. ECONOMIC RECOVERY

Now we have done with the ideological part of the Introduction. Let us now, for reporting, transport ourselves to the Visitors' Gallery in the Indian Legislative Chamber. We already quoted a para or two from the address of His Excellency the Viceroy. Let us hear what HE says in another para bearing on the prospect of our economic recovery.

"You will, I think, expect me to make some mention of a matter which particularly at the present time is of great public interest. I refer to India's foreign trade. Nine months ago I ventured to express some degree of cautious optimism in spite of the disabilities under which international trade was then labouring. It is a matter for regret that world conditions will show little sign of the long awaited recovery, on the contrary yet another of our most important markets, namely, Italy, has been obliged to impose a system of drastic control over imports in order to protect her foreign exchange position. Nevertheless I feel that I am justified so far as India is concerned in repeating that note of optimism. India's exports of merchandise for the first four months of the present trade year show an increase of more than 4 and a half lakhs over the figures for the corresponding period of 1933 and though they show a comparatively small increase of 1 and a half lakhs over last year's total it must be remembered that 1934 was marked by exceptional purchases of raw cotton by Japan. On this one head of our trade accounts alone, namely cotton purchase by Japan, there has been a decrease of over 3 and a half crores in the present year. Omitting this exceptional item India's export trade in other commodities has improved by three crores in comparison with last year. Hon. members may be interested more particularly in the results of our trading with Germany and Italy—countries in which the most stringent measures of control have been imposed. In the case of Germany our information is based on the reports of our trade commissioner in Hamburg who has made a critical examination of the German import statistics. Mr. Gupta informs us that in the last quarter of 1934 the balance of trade was against India to the extent of 2 and one-fourth per cent, in the first quarter of 1935 the balance was even showing an exchange of goods valued at 26 million reichmarks, for the second quarter of 1935 the balance has again swung in India's favour and Germany has imported from India goods valued at 31 million reichmarks against exports to India of 24 million only. Again in the case of Italy contrary to what might have been expected from the new and stringent system of import control our exports in the first four months of this year have fallen off by 6 per cent only. I quote these figures in no spirit of complacency. My Government are fully alive to the dangers with which the course of international trade is now beset and they will continue to watch the situation with the most serious care.

"Before I leave this subject may I bring one circumstance to the notice of those who may have found little consolation in a comparison of the trade figures of predepression years with those of the present day? I would ask them to remember

that world prices of primary commodities have fallen some 45 per cent. since 1929 and that values in themselves are no true index to the valuation in the quantum of trade."

### XXXVI "MANCHESTER GUARDIAN" ON IT

The above is a fairly long quotation. But we should like it to be read not detached from the context of a review of the world economic situation such as is presented in the following long quotation from the *Manchester Guardian* of a recent date —

Has the world emerged into the flowing tide of economic recovery or are we witnessing merely an interlude of mitigated depression? Is there even sufficient political sense and stability in Europe and Asia to make world recovery possible at all? Or is our whole civilisation slipping into dis-integration and dissolution, from which all our mastery of the material universe is impotent to preserve it? The questions are put—and gloomily answered—by Mr Harold Butler, the director of the International Labour Office, in his annual report, published to-day, a broad economic and social survey that must be one of the most outspoken and disturbing ever issued from an organ of the League of Nations.

Mr Butler begins by noting some of the clear gains that can be set on the credit side of the economic balance-sheet, notably a rise in most countries of the volume of industrial production. But how far is this progress sound?

It is notorious (he says) that a great expansion of armament manufacture is taking place in all the principal industrial countries, either for their own account or for that of foreign customers. How much for instance of the remarkable increase in the output of pig iron and steel which may be noted in Czechoslovakia, Germany, Italy, Japan, the United Kingdom, the United States of America, and the Union of Soviet Socialist Republics is to be attributed to this cause? How much of the fresh activity in the chemical, automobile, clothing and coal industries is traceable to the same origin?

In so far as industrial prosperity is founded on warlike preparation it is not only sinister but hollow and unreal. The manufacture of arms adds nothing to national wealth. As a form of national expenditure it is sterile and unproductive. Though its effect on the economy of a nation may be more stimulating than that of public works in proportion, as the outlay is greater and more variegated, its economic consequences are far less beneficial, as nothing is added to the nation's economic assets.

When a country imports materials for armaments she produces nothing to export in return under the existing system of barter trade she has to be content with fewer of the imports needed for feeding her people or providing materials for normal economic activity.

Moreover, it contains an even greater menace in that countries which have become dependent upon armaments for keeping down their unemployment and thus maintaining a fictitious prosperity no longer dare to slacken the pace of their war-manufacture for fear of the social consequences which would ensue.

Lastly, intensive competition in armaments inevitably produces a state of suppressed alarm and anxiety everywhere, which check the expansion of healthy trade and of capital investment and thus further blocks the path of normal recovery.

The obstacles to the rebirth of confidence, Mr Butler goes on, are not only, nor perhaps even now chiefly, financial or economic. "Overcasting the whole sky is the fear of war, imminent or not remote, which throws its blight over every project or transaction based upon a calculation of the future."

The tragedy is that at a moment when an intellectual revolt against the ideal of self-sufficiency has set in (even Hitler has denounced it) "autocratic principles are being more and more widely applied on grounds of military preparedness. Here again is proof that economic recovery is an impossible dream until the fear of another and more catastrophic collapse of the whole international system has been dispelled." Europe, and the same may be true of Asia, "stands at a turning-point of its fate." "It is a moment when statesmanship is called upon to rise to greater heights than at any time since 1914. If the occasion is allowed to slip the discussion of economic and social progress may shortly become largely academic."

### XXXVII SEPARATIST SECURITY

The conduct and the sequel of the Italo-Abyssinian war have proved to the hilt the futility of the League of Nations as an

instrument of collective security Though the new Socialist Premier of France and other statesmen are still hoping for a resurrection of the League Idea as dead now as "mutton chop", we are witnessing on all sides preparations going apace to give it a decent last burial. And those preparations are preparations for individual security—*chacha apan bancha*—as we say in Bengali The League being finished, war preparedness will again be openly, as it has for these years been tacitly, thought to be the best insurance against war The British Empire, having perhaps a greater stake than any other Power in the *status quo*, cannot afford to lag behind in the race of individual security—or, "each one for oneself, devil take the hindmost" game And India as a country dependent in every way on the British Empire is bound to be vitally affected by whatever is incidental to or results from the game. If real and permanent economic recovery be impossible for the principal country it cannot be real and permanent for one dependent on her Besides that there are obviously special causes operating against the normal economic development of a dependent country A small increment noticed in India's foreign trade in one year or another will therefore be a ground for but small consolation.

### XXXVIII. CRIMINAL LAW AMENDMENT BILL

Let us now turn to a subject of more immediate interest From our seat in the Visitors's blocks of the Legislative Assembly, we could not, except very occasionally, confess to witnessing an exhilarating and exciting game on the floor of the House. Hardly anything can expect to be so in an atmosphere of "irresponsible unreality" that prevails in the Chamber Possibly the game was exhilarating and exciting to those or some of those actually engaged in it. Party Whips occasionally—especially when votes were to be taken—were able to whip the "dead horse" into a semblance of temporary animation We may especially refer to the debate on the Criminal Law Amendment Bill and the voting on it. The Hon'ble Law Member—whose speech we have reproduced in full in this Register—rose, of course, as an advocate proving his case from his brief, fully to the height of the occasion, but as the Leader of the Opposition remarked—perhaps justly—the Law Member's advocacy—weighty in carefully selected evidence and close-knit in argument as it was,—was not a statesman-like speech raising the debate itself to a higher plane.

### XXXIX. HOME MEMBER ON IT

Sir Henry Craik, in moving the Bill, said that the Bill was meant for meeting the triple menace of terrorism, communism and of communalism We reproduce here at some length the Press summary of his speech which appears in its due place in the body of this Register The Law Member's elaborate special pleading may well be taken as being based on the text of the Home Member's succinct presentation of the Government case.

Stressing the necessity of the present Bill, the mover emphasised that it was mainly directed against terrorism, communism and communal unrest in the country and he could foresee no reasonable time when Government could relax their measure against this triple menace So it was contemplated to put the measure permanently on the statute book. He added, besides the tripple menace mentioned, there was the



danger of revival of the civil disobedience movement, of which due notice must be taken Sir Henry Craik added "It must be argued that Civil Disobedience is not now in force, why, then, any legislation against that. Well, the movement has only been suspended and not stopped.

Coming to the provisions of the present Bill he said the first operative important clause was that which repeals the sections limiting the duration of the 1932 Act to three years and instead makes the Bill permanent. Again it may be questioned why the measure was being made permanent. When the 1932 Bill was introduced, it was designed to be permanent. But an amendment limiting its life to three years was accepted by Government. It had been found that temporary legislation did not induce the promoters of dangerous and subversive movements to change their ways. It gave them encouragement that they can pursue their activities when favourable atmosphere came due to the relaxation of law.

So far the menace of terrorism was concerned, Sir Henry proceeded, the movement had now been for about 30 years. "I admit that there has been some improvement in Bengal now due partly to the sterner measure in force and due partly to the revulsion among the public against it. But it is impossible, having regard to the dangers of the terrorist movement, to relax the measures. During the last few months there has been some murders. Terrorist conspiracies are still in being. In Northern India there has been a distinct revival of the movement.

"As regards communal unrest, I can recall no time when the problem has been more acute. There has been no time when officials and public have been more apprehensive of its serious effects.

"The danger of the Communist Movement is not perhaps fully appreciated by the general public. I can assure the House that it is the movement which is becoming steadily and increasingly active and there is a serious threat not merely to Government but to the whole organisation of the society as at present constituted. Let me emphasize that the Bill as a whole is intended to safeguard against all revolutionary subversive movements in general and in particular against three public serious menaces."

Continuing, Sir Henry admitted that the provisions relating to the Press must be of a controversial nature. His main ground for the retention of the powers of control over the Press was insufficiency in the common law of the land to deal with inflammatory writings. He cited Gandhi to show that prior to 1931 writings appeared in the Press in support of the terrorists and in praise of terrorism and incitements to bitter communal hatred. The Home Member referred to the Calcutta riots of 1926, and the Punjab riot in April 1927. Attacks on religious leaders were fanned by articles in the Press. Sir Henry Craik said that in March, 1931 the position deteriorated considerably in Bengal especially after the Chittagong armoury raid when poems extolling terrorism and articles giving the history of revolutionaries were published. Press condemnation of terrorism was coupled with extravagant praise. Promulgation of the Press Ordinance slightly improved the situation. Sir Henry said whenever the control over the Press was relaxed the position deteriorated dangerously. Institution of dummy editors made action under the ordinary law useless. However, he opined, a reasonable press had nothing to fear.

Concluding Sir Henry Craik said that their purpose was two-fold, firstly, to hand over the administration of the new Government which was coming shortly in existence with powers to combat the subversive movements and, secondly, to protect the voiceless millions of this country who were uninterested in political agitation and who wanted to live and pursue their vocations in peace. The object of the legislation was not repression of nationalism.

## XL THE OPPOSITION

It need hardly be said that this position was practically at every point, hotly and ably contested by the stalwarts on the Opposition side.

"We are convinced that we can govern the country in her best interests without this law," said Mr Satyamurti. He concluded by saying that the Bill was intended to enthrone autocracy. "It follows that the government do not believe in their own reforms, and they do not believe in their own courts of justice." Dr Deshmukh characterised the measure as double-faced in that while showing to protect the people

against communalism and terrorism, it really wanted to muzzle the Press—a great educative agency.

#### XLI OBJECTION TO THE BILL

We might refer to some of the other scathing criticisms made from the Opposition benches on the proposed measure which were directed as much against the broad principles of jurisprudence and of political science and art involved as against the probable abuses in its application. We feel, however, that it would be better if the reader were asked to go through the proceedings of that debate as reproduced in this Register than if he were only supplied with selected scraps of quotations from the summarised reports of the speeches. We should, however, like, in particular, not only to mention but recommend the speech of the law Member to which reference has already been made. Objection to the Bill was made chiefly on these grounds. (1) It is a serious encroachment upon what Pandit Jawaharlal has recently brought into prominence as the civil liberties of the people. (2) It is a serious encroachment upon the province of the administration of Law according to the acknowledged canons of civilized jurisprudence. (3) It makes an emergency measure a permanent feature of the machinery of government. (4) It keeps the substance of autocracy and irresponsibility while the new Constitution looks like sowing the first seeds of democracy and responsibility and thereby ending autocracy. (5) It is a measure that will not touch the root causes of the triple menace of terrorism, communism and communalism, or if it touch them, it does so to aggravate them. (6) A truly responsible ministry backed by the bulk of public opinion should not stand in need of a measure of this kind. (7) It will antagonise the conditions favouring a successful experiment in democracy in India by unduly restricting the liberty of the Press, the freedom of association etc. (8) It is a measure uncalled for in view of the many reservations and safeguards in the new Constitution, and the general and special responsibilities laid on the shoulders of the Governor-General and the Governors. (9) The autocratic powers taken under this Bill by the Executive Government are not such as would be deemed necessary in view of the very wide and drastic powers conferred on them by the existing ordinary laws of the land. (10) It argues a disinclination on the part of the bureaucracy to part with special powers with which they vested themselves in times of emergent need. (11) It involves a breach of the assurances given by former members of the Government while bringing forward these or similar other emergency measures that they would be of an emergency nature and that they were required for a definite purpose only, for example, for combating the civil disobedience movement. (12) It makes direct action even of the peaceful, persuasive kind, a crime for all time and under all circumstances. (13) It makes order and tranquillity an end in itself. (14) It is a measure ostensibly in support of the just and legitimate rights and liberties of the people, but as a matter of fact, no important sections of the public but only the local governments have asked for its enactment. (15) While the demon of communalism cannot be laid except by stressing on the community of the vital interests of all communities and making them combine and cooperate

in the promoting of those interests, the dreaded spectre of communism cannot be driven away from the land except by devising and driving a comprehensive scheme of mass economic amelioration and adjustment. In other words, communalism will not go so long as communal jealousies and antagonisms are kept alive by anti-national and anti-democratic devices, communism cannot be withstood by trying here, for example a kind of Indian fascism whether by official or by non-official agencies representing vested interests, and that terrorism can not be counteracted to the extent of being eradicated by what the critics of the Government including Mahatma Gandhi have called 'counter-terrorism' (16) Excesses and abuses in the exercise of such drastic and summary powers by those actually entrusted with the "job" will be more than negligible or even far above the line of the normal (17) The Police and the Magistracy will be kept upon a scent diverting their time and energy more or less from the more basic and permanent aspects of the administration of law and order which should absorb practically the whole of their time and energy (18) A measure like this passed in the teeth of the opposition by a majority of the House shows that the authorities are determined to go their own way without apparently, caring much for the verdict of that majority—which is mainly Congress verdict, their ex-enemy's—one way or the other. In other words, the day has yet to dawn when they can hope to make government a government by consent and cooperation in the accepted democratic sense of the term.

### XLII THE GOVERNMENT CASE

It is an elaborate indictment of the policy of the Government as supposed to be reflected in the measure now brought forward, and we have presented the Opposition case in a condensed form. The Home Member's speech and that of the Law Member to which we have already drawn the reader's attention state the Government case. That case is briefly this. The triple menace of terrorism, communalism and communism has not, unfortunately, proved to be but a temporary disquieting feature of the Indian situation. Like a dark, ominous cloud it still broods over India, and as far as one is able to foresee, that cloud is not likely to disappear soon or with the dawning of the new dispensation. Even civil disobedience has been in a state of suspended animation only for the time being, and Congressmen are merely biding their time. They have not seriously taken to constitutional work in the legislatures. They still think of destroying the Constitution from within. The present as well as the prospective Government stand, therefore, in clear need of effective guarantees under which they may function with a minimum of disruptive and disintegrating factors operating against them. The new system proposed is an experiment in responsible government in India, which, to be successful, must be tried in conditions least unfavourable to it. It is no use trying it in impossible or unmanageable conditions. Government have, therefore, not only forewarned but forearmed themselves in this matter. The history of the subversive movements in India has demonstrated again and again that whenever restrictions on the activities of the Press, associations etc. have been removed or relaxed, subversive movements have had fresh impetus and

encouragement given to them, and have, thereby, gained in volume and virulence. The present Government feel, accordingly, duty-bound to make over their "charge" to their successor safe and secure. As regards excesses and abuses in the exercise of the emergency powers, Government do not admit that they have ever been much in excess of the irreducible minimum.

### XLIII A RECENT PARLIAMENT DEBATE

We hope the above is a fair and full statement of the Government case. We refrain from offering our own comments on the merits of the case as presented by the two sides. But we think a very interesting and instructive commentary on the case has been furnished by a recent debate in the Parliament on certain constitutional Orders passed bearing on India and Burma. We give below some quotations from Reuter's summary. We shall like to draw special attention to some of the observations made by Lord Lothian and some remarks in Lord Zetland's speech relating to Congress attitude to the new Constitution.

Lord Lothian also welcomed the first practical step to bring the Constitution into being. He said that during the last six or seven years, India had something of the characteristics of a police state, in which repression of political opinion had been the central fact. This had been the inevitable result of the adoption by the Congress of the policy of civil disobedience which was a challenge to the existence of the Government that any government worthy of the name must meet.

For many years that form of government, however much it might be forced upon them, inevitably tended to produce abuses in the police administration and to create estrangement between the masses and the Government, and undesirable consequences of all kinds. If the New Constitution was to come into operation with any real chance of success, it was essential that that phase of Indian government should come to an end when provincial autonomy was inaugurating.

Lord Lothian added that once provincial autonomy represented the majority of the politically minded in the provinces the main cause for political crime in the past would disappear. The provincial government would be able to maintain order because they would represent the people and not an alien authority. That was the cardinal virtue of the system of responsible government.

He was sure Lord Zetland would pave the way for responsibility in the provinces and make it clear that the quickest way to get rid of those things would be for the majority in the new legislatures to assume full responsibility for law and order subject only to the special responsibility of the Governor in the event of great menace to peace and tranquillity.

Referring to the financial question Lord Lothian said nothing would give a send off to the beginning of provincial autonomy under worse auspices than for the new Ministers to be responsible for nothing else but law and order for five years because owing to lack of money they would be unable to inaugurate any considerable measure of social reform during that period.

Lord Lothian asked whether it was not possible by a loan or otherwise to give the provincial governments during the first period of stringency some revenues to spend on social reform from the start. Nothing would do more to smooth the way at the beginning and prepare for the far more difficult task of Federation.

Lord Lothian said he was not afraid of the great battle between socialism and capitalism being waged in India provided it was waged on the basis of the parliamentary system and on democratic and constitutional lines. What was fatal was that it would be fought out as a battle between Fascism and Communism.

Nothing would do more to prevent people from thinking and resorting to revolutionary and despotic methods, than that the new Governments should have placed at their disposal for the time a larger measure of revenue that would come to them under the Niemeyer Report.

Lord Zetland replying said that the cause of the Act contemplated that the new governments would be given real responsibility assuming they showed they were tending to act in a responsible manner, but if the policy advocated in some quarters of the Congress was to be the policy generally adopted in India, namely, the policy

of entering the new Constitution in order to destroy it from within, then there would be the grave risk of the Governor having to exercise to an extent, he hoped it would not be necessary the special powers conferred on him by the Act.

Lord Zetland agreed with Lord Lothian it was desirable that the new governments should be in a position to spend money on social services and he expressed the opinion it would be possible if the improvement in the economic situation continued even before the passage of the first five years that the provinces might draw some thing from proceeds of the Income Tax.

#### XLIV "THE POLICE STATE"

"The police state" which, as Lord Lothian admits, has functioned in India for the last few years, has been necessitated, as he points out, mainly by the Congress attitude to Government as exemplified by the civil disobedience movement. Now that state of things must cease to exist in the opinion of his Lordship if the proposed experiment in democratic government in India should be started under favourable auspices. The question therefore is—What does the enactment of the Criminal Amendment Bill at this stage practically amount to? Does it look anything like a definite abandonment of the policy underlying what his Lordship has called a "police state"? The Secretary of State for India, of course, assures us that the responsibility granted will be genuine. But he makes it a conditional proposition—if the Ministerial and other parties act in a responsible manner. Not a vague condition is that Lord Zetland makes his meaning quite clear. He refers to the possible attitude of Congress and other parties in the new system. Will it be in general an attitude of wrecking and destruction from within or will it be one of co-operation and help? If the former then there is the "grave risk" of the Governors having to draw upon the armoury of their reserve powers and special responsibilities. The new India Act has suffered no illusions to remain lingering about such a "grave risk" being materialised in the circumstances described above, or even perhaps in less emergent cases. There is no doubt that the coming Constitution is an adequately insured ship putting out to sea. It is the unknown uncharted sea of Indian democracy. But good care has been taken that the ship may not come to grief. Even if it should unfortunately founder her constitutional insurance guarantees that her full value shall be recovered. In other words, if democracy should fail, the substance of the present *mu bap* system will be in readiness to do the job. This is as it should be. But has his Lordship the Marquess of Zetland put to himself this simple question?—Why should the Congress and other parties in general combine to wreck the Constitution from within? For the mere fun and joy of it? Why should a majority in the new legislatures habitually be a perverse, mischievous lot? Why should the general electorate send to the legislatures a perverse, mischievous lot? Is it because it is perverse and mischievous itself? Is an experiment in democracy worth trying at all if, in all test cases, it should run counter to the "greatest wish of the greatest number"?

#### XLV A LONDON TALK—MR DESAI

As to the point that a measure like the Criminal Amendment Act was adopted in the interest of the future "responsible government", the following long extract from the gist (*A B Patrika's* London Correspondent) of a talk in the House of Commons very recently given by

Mr Deasi, the leader of the Congress Party in the Central Legislature, should be read as giving a direct, clear refutation —

Some members questioned Mr Deasi on his attitude towards the new reforms, whether he would be prepared to accept office Mr Deasi had to tell them bluntly that the reforms were not reforms as understood in English language. Naturally, they were not meant for the advancement of the political freedom of the nation. And he personally felt that it was futile to waste one's useful time and money in running after these reforms or even to accept offices. Of course, he could not, in fairness to the Congress, say what the attitude of that body would be, a decision which is to be taken later on. But Miss Ellen Wilkinson wanted to know something more than that. She has been interesting herself in looking after the persecuted Jews and Hitler opponents in this country. And it was not natural that she should ask Mr Deasi what would be his attitude towards the Indian socialists if his group of people were in power in the provincial legislatures. She had to ask that question as in the course of his talk Mr Deasi had given them to understand that he was not a socialist. However, Mr Deasi gave a categorical reply which will go a long way in allaying the fears of many English socialists. He told Miss Wilkinson that neither he nor other Congressmen who were not Socialists would allow the operation of the Criminal Law Amendment Act. They would not allow the country to be ruled by dictatorial powers.

### XLVI LORD ZETLAND'S "THREAT"

Then, as regards Lord Zetland's 'threat' to the Congress we shall allow a prominent member of the Congress and of the Parliamentary Board and Legislative Assembly, who is keen on the point of the Council-entry programme being carried to its "logical ends", say how a section of Congressmen feel as that bolt from Whitehall comes on them.

I see Lord Zetland has chosen to abuse his position as Secretary of State for India in the House of Lords and to hold out threats to the Congress. He is reported by Reuters to have said: "If the policy advocated in some quarters in the Congress was to be the policy generally adopted in India, namely a policy of entering the constitution in order to destroy it from within then there would be grave risk of the Government having to exercise to an extent he hoped it would not be necessary, — the special powers conferred on him by the Act. Undoubtedly the Congress is pledged to the policy that this constitution, which is not wanted by any section of political opinion in India should be replaced at the earliest possible moment by an agreed Constitution based on Purna Swaraj. That I believe is a policy which will commend itself to the people of this country. The first thing for the Congressmen to do is to bring the maximum force to bear on the powers that be and to make them realise that the Federation will be still born. In every provincial Legislature with Congress majority resolutions will be brought forward to the effect that Federation ought not to come into existence. The Congress will have the support of Mr Jinnah and his party in this matter. I look forward to a situation when the Federation will be still born. Having read the Government of India Act carefully, I know there are no Governor's safeguards which can be brought into play to prevent this.

Then again, Lord Zetland realises that unless the Provincial Governments spend money on social services, it will be impossible for the Provincial Ministers to give good account of themselves. But he says there will be money. He does not know what he is talking about. It is perfectly open to Ministers to so run the administration as to make the continuance of the present Act difficult, if not impossible, and to bring about a situation which will compel the revision of the Act on agreed lines. If they do so what are the safeguards and special powers which the Governors can hope to exercise. The Governor's main special powers are prevention of grave menaces to the tranquillity and peace of the country, safeguarding the interests of the minorities.

These are the main safeguards. I think Lord Zetland is beating the air when he threatens the Congress. In spite of his threats Congress candidates will be returned to the Provincial Legislatures in great majorities and the Congress Ministers will put their policy and programme into effect in the full hope and confidence that

this unwanted Act will be buried. Sooner or later the Act will be buried, and when it is buried, it will be buried unwept, unhonoured and unsung.

### XLVII "SOCIAL SERVICE"

On the vital question of "social service" which, more than anything else, should build a basis of utility and justification for any popular government to exist and function upon, we should like to ask the reader to ponder deeply over the following observations on practical socialism made by Pandit Hridaynath Kunzru, President of the Servant of India Society —

"We have been planning things in a haphazard way. A new method and a new style are needed to plan things as a whole. We must plan all production and consumption in society so that we may be able to remove the gross inequality that we see to-day. Without such planning, all our efforts in village uplift will not achieve immediate results. We must try to remove the appalling ignorance and poverty among the masses and raise their standard of living. This is Socialism as I understand it. How can you say that it is a menace to society?"

Pandit Kunzru was of the opinion that it did not matter what the theories of Socialism were or what the professional Socialist agitators said.

"In the earlier days of political movements in India continued Pandit Kunzru we were set thinking of our political rights as we saw them enjoyed by the British people. The books of Spencer, Hamilton and Mill introduced the ideas of freedom in the minds of educated Indians. At every stage of our development we put forward demands on concrete facts which had brought home to us the truth that we lacked the political power necessary for our development. Later we saw that the mere structure of Government was not enough but that economic power was also necessary. Poverty led to demands for industrial development and that there should be such distribution of wealth as would enable the poor of the country to lead useful and self-respectful lives."

"If these changes are not easily brought about, our theoretical representatives in the legislatures have not realised their responsibilities in this respect. We should not shirk taking money from where it can be had by taxation and spend it where it should be spent to provide the poor people with those social amenities which are necessary for all. This is practical Socialism and we need no longer be afraid of theories."

### XLVIII SAND BANKS ON THE BEACH

The economic planning carried step by step and at each step suited to and transforming the actual condition of the Indian classes and masses, is not only a difficult but a complicated problem, but it has got to be seriously tackled from now. The surging tide of an economic revolution is already advancing on the shores of India. There can be no mistaking the signs. The question is—*not* how like the Anglo-Saxon king of old we shall order it to go back, but how like sagacious practical men of to-day we shall prepare to meet the impact and turn it to our best advantage without allowing it to engulf our whole structure of civilisation and society with all the value they have carried from the past and all they should carry forward into the future. Improvising sand banks on the beach will avail us not. Tides from the West—and to-day tides from the Far East too—have again and again impacted upon this ancient land sometimes marching on the wide expanse of seas and oceans, and sometimes leaping over India's snow-clad mountain ranges on the west, north or east. The Moscow tide, for example, has been more in the nature of a deep and far-spreading earth tremor than in that of a surface tremor of the waters of the globe. A sand bank being out of the question, an well devised and well executed plan of "drainage

and irrigating or otherwise controlling" the new ideas and forces is what is called for

Rural poverty and indebtedness are truly appalling in this country. The exorbitant rates of interest imposed by the *mahajan* or money-lending class are undoubtedly one of the chief dredgers digging and deepening the abyss. But it has to be remembered that the Indian Shylock exacting his pound of flesh has, nevertheless, been a part—almost an indispensable part—of the entire credit system. The system has in many cases worked ruthlessly and disastrously, and the consequences, whilst being "abysmal" to the increasingly impoverished ryot, have also ceased to be reassuring or profitable to the mahajan himself. Not to dream of the interest, simple or compound, he often finds even his principal sinking five thousand fathoms deep. By applying the machinery of the ordinary Civil Law he can no doubt complete the poor ryot's ruin, but the irony of the arrangement is that he also is there by thrown into a common welter of ruin with his debtor. The provisions of the new rural indebtedness measures may slightly improve the lot of the debtor, and, we may assume, the position of the creditor in some cases also. They may settle the existing debts by cutting the gordian knots where necessary. But will they not also tend to cut off the flow of credit itself? In ending or mending the present money lending system, we shall have to see that it is or can be replaced by an easier and juster system of credit. The relations of the landlord and his tenant will have to be similarly readjusted on a more equitable basis even if, or so long as, we are not prepared to go the whole length with expropriating, full-blooded Socialism.

#### XLIX. GENERAL ASPECT OF THE PICTURE

The measures that have so far been taken to tone down the dark, dismal colours on the canvas have not perceptibly improved the general aspect of the picture. Reference may be made, for example to the Bengal Indebtedness Bill. They have barely touched the fringe of the problem as we say. Measures more radical and heroic than co-operative banks and Arbitration Courts, Certifying Officer etc. as now proposed or functioning are required to lift the whole structure of rural economy from the quicksands into which it has been steadily sinking. The Government Report on Agriculture in Bengal in the year 1934-35 notes some improvement in such lines as research work, livestock, model demonstration farms. But the model farms are like isolated oases in a vast Sahara of rural listlessness, lack of industry and enterprise and resources and waste. What we require is a model colony or 'object-lesson' established in the heart of each one of the several millions of Indian villages. Is this not a very large order?

#### L. THE PROBLEM

The problem is not less than restoring the Indian village to the autonomy that it formerly enjoyed and making that autonomy the foundation of its economic, political, social and cultural structure. If autonomy be real, it will almost ensure that the structure shall be a just, ample and happy one. State initiative and State help is undoubtedly necessary for laying the foundation solidly and broadly. But this



is not to say that the people themselves should only suffer and sigh in silence till the ponderous machinery of the State moves and comes to rescue. They must help themselves. The Congress and other national organisations should, in part, free themselves from their present political obsession, devise a comprehensive economic, social and educative programme for the masses, agriculturist and industrialist, rural and urban and see to it that at least the preliminary spade work be undertaken in right earnest for laying the required foundation solidly and broadly. They are to do this not failing to render unto Politics what is justly her due.

### LI COUNCIL MEASURES BENGAL

Towards the end of November we find the Bengal Council debating the Bengal Agriculturist Debtors' Bill. Some members objected to the measure on the ground that it was simply dallying with the appalling problem of rural indebtedness. Some while admitting that it was a small step taken in the right direction thought that it should be followed by a progressive agriculture policy on the part of the Government. Mr N. K. Basu thought, for example, that the Bill might wreck the whole system of rural credit since the Government were not giving any financial help. Others accepted the Bill on the excellent ground—"a blind uncle is better than no uncle." The Hon'ble Minister in charge of the Bill contended that "irrespective of caste and creed all the cultivators were in favour of the Bill and they would not like to have the Bill delayed even for a single day." Need we offer any comments on this view of what we have said before?

### LII BOMBAY

In the Bombay Council we find a rural uplift resolution moved by the Minister of Local Self Government for a plan of distributing Rs. 7 lacs granted by the Central Government. It was proposed that the sum (very inadequate to cope with the vastness of the problem) should be spent to work Sir Frederick Syke's scheme of village improvement. In the beginning of October we find the same Council discussing the Bombay Special (Emergency) Powers Act Amendment Bill the object of which was "to deal effectively with Communism, Terrorism, instigation of non-payment of land-revenue and Civil Disobedience." Bengal was also reforger her Public Safety Act. So not only the Centre but the Provinces also were forarming themselves against future dangers. In Madras, in U. P. and in other Provinces too the legislative session was not quite void of a vacuous verbosity, but it was a dull and depressing atmosphere in which it generally functioned and was dull and depressing itself.

### LIII A. I. C. C.

In the middle of October there was held at the "Congress House", Madras, a meeting of the All India Congress Committee, in which the main subject considered was the question of the acceptance or non-acceptance of office under the new Constitution. For a detailed report of the proceedings we may refer the reader to Pp. 265-286 of this Register. On the question of acceptance or non-acceptance of office,

Acharya Kripalani placed before the House the following resolution of the Working Committee—

"Considering the long interval of time that is bound to elapse before the next general provincial elections under the new constitution and the uncertainty of political conditions during this long period, this Committee is of opinion that it is not only premature, but also inadvisable and impolitic to come to any decision on the question of acceptance or non-acceptance of office at this stage and therefore it affirms the resolution of the Working Committee passed at Wardha on the subject. At the same time, the Committee desires to make it clear that it sees no objection to the question being discussed in the country."

An amendment to the above was moved by T Prakasam who in his speech contended that "it was wrong to say that it was now premature to decide the question. The interval of time between now and the elections was not much, considering the magnitude of the work required to be done." He proceeded to plead for a definite lead, one way or the other, being forthwith given by the Congress, so that the people might adequately prepare for and forcefully react upon what was coming. A policy of indecision and drift on the part of the Congress would simply make the confusion following the inauguration of the new order worse confounded. The policy of indecision, we may add, was in evidence in connection with the so-called Communal Award also. Was the indecision in that case and in this born of wisdom and the strength of self-control or was it born, as its critics say, of a temporary spinal and brain softening? Was it because the Congress was wise and strong not to decide now what had better stand over for the present, or because it was nervous and hesitant to act where and when act one must?

#### LV NATIONAL LIBERAL FEDERATION

A brief reference should also be made to the National Liberal Federation which held its 17th session at Nagpur towards the close of December. The Presidential address of Mr Venkataram Sastri—which will be found in its due place in this Register—should be carefully read by all, especially those interested in a critical and comprehensive scrutiny of the main features of the new Constitutional Act. It also indicates and defines the Indian Liberal position and attitude in regard to the coming changes. It ably argues—from the Liberal point of view—the point as to what should be the attitude of the progressive parties in India in regard to those changes. We reproduce here the argument at some length, and it will be interesting to compare notes with parties holding the opposite view.

"There is diversity of opinion in the ranks of every party. Some hold that the Act being unacceptable, we should not go into the legislatures, we must keep aloof. Others hold that we must enter the Councils. Of those who are for entering the Councils, but must not accept office, others that there is no purpose in going into the Councils unless we are prepared to accept office. There are those who hold that we must wreck the Act, that is, make its working impossible. We must reverse the old saying that we should co-operate wherever possible and oppose where necessary. We must now say to ourselves that we should co-operate, where necessary, but should oppose wherever possible.

"In any decision as between these alternatives it must not be forgotten that a certain section of our countrymen can be got to work the Act.

"To say that you will not work the Act because it is unacceptable to us leads you nowhere. As a friend has well said, 'if you will not work the Act, it will work

you" If you do not work the Act, the Act does not thereby become unworkable. If you were so united that by refusing to work the Act, it should become unworkable, this Act would not have been passed at all, you would then have secured every provision that you wanted. We are disorganised, and disunited. That is why the Act is thrust on us with the assurance that if we did not work the Act, others may still be found in the country to work it. These do not mind what the majority think. It is for you to consider whether you should permit them to go in and work the Act or whether you who claim to be progressive and nationalist should go in and work the Act.

"Keeping our unprogressive elements from the Councils, is it not in itself desirable, may it not be necessary? Now then, can there be any doubt that the progressive parties in the country cannot afford to allow the non-progressive or anti-nationalistic elements to go into the Councils and work the Act? Is there any flaw in this argument? I see none. It is then absolutely necessary that the entry into the Councils should be accepted, at least to keep out the undesirables. You must go into the Councils in large numbers. In fact, you must be there in a majority or at least in sufficient numbers to have a controlling influence. Then you may be invited to form the ministry. Do you accept office or do you reject it and sit in opposition to the Government? If you prefer to sit in opposition, some one else will undertake to form the ministry. Do you oppose? Do you oppose all measures or only such as are detrimental to national interests? That is to say, are you to wreck the Act by opposing all measures of Government, even if they should be beneficial? Indiscriminate opposition will be found not to be a paying game, unless the whole country understood your game fully and was in full sympathy with it, unless you had the country backing you in any such programme. If you went into the Councils on wrecking as an election programme and in all the provinces you succeeded, I can understand a programme of that kind.

"I do not expect any such programme to succeed. The unity that you require for any such programme has yet to be created. When that unity is created it may be that wrecking is not necessary for securing changes in the Constitution. Such a unity may be the result of work done in the country. It may be the result of working within the Council also. The work within the Council will quicken the work in the country. In power, you will be able to do a great deal more than in opposition, one gets more support in power than in opposition from the official hierarchy right up to the top. Contact and association tell more than the merit of any question. For your beneficent measures you may be sure of support from the Governor. I am speaking with some knowledge of how contact and association secure support even where the support is invoked for ill-conceived and wrong-headed measures.

"Wrecking as a programme is of questionable wisdom and refusal to accept office and responsibility in any circumstances is refusal to make those contacts and association that make smooth the path of work and achievement.

The Right Hon'ble V. S. Srinivasa Sastri said that the enactment of the new India Act was the result of our weakness and utter helplessness. The Act was thrust upon us. As there was no escape, they must submit. Advantage had been taken to the fullest extent of the discord among Indians in the matter of the framing of the provisions of the new Act. There was no incongruity in severely condemning the constitution and working it, as the thing had been thrust upon us without our seeking or co-operation. It was in our hands to make use even of this evil instrument for securing our purpose.

With regard to the party programme, we give below the following extract from the President's speech—

While it is essential that programme-makers should know what has been done in other countries, they cannot simply transcribe them wholesale into their programme without adapting them to the needs and conditions of this country. There is some informed and much uninformed planning in the country in imitation of the Five-Year Plan and Ten-Year Plans of other countries, so much so that the word, planning, and the idea behind it are in danger of becoming discredited. But a party programme is necessary without delay.

If the masses of the population, now steeped in poverty, are to have a reasonable standard of living, the country must bend its energies in devising a practicable programme and carrying it out. The relief to agriculturists whose poverty and distress are on the increase in these depressing times, the condition of landless labourers in agriculture and urban workers in unorganised industries and the problem of the educated unemployed call for immediate attention. The pressure on agriculture necessitates industrialisation chiefly by the introduction of cottage and village industries as a new or an additional occupation for the rural population. Nationalisation in certain directions is no longer a matter for discussion. In transport, in Posts and Telegraphs, in public utilities such as electricity, broadcasting, etc., nationalisation has become an established fact. Liberalism, unlike Socialism, reserves freedom of judgment in each case on the merits without making a fetish of nationalisation as applicable in all circumstances and to all departments of economic life. Fair conditions of life and fair distribution of the profits of industry as between capital and labour must be secured if need be by careful legislation.

Taxation as an instrument for securing social justice and redressing inequalities in the distribution of wealth is well known. I can see no end or goal which cannot be more easily and promptly achieved by social legislation than by the doubtful and difficult paths of Socialism.

#### LVI. "THE MOVING PICTURE"

In this last paragraph of the Introduction we cannot expect to make even a passing reference to the various conferences that were held in connection with various matters of public interest and moment. We hope the Register has catered for every shade of public interest of any utility and importance. In these last lines we dismiss the picture, unhappy as it is in its salient features, and look for one moment at the background of the picture—which is both shaded and blurred. The picture is, of course, that of a play of cross purposes, interests and tendencies. Such a play is quite natural in the assemblage of complex and complicated conditions which subsist in and represent the vast Indian sub-continent. As a living reality it has to be even welcomed, not certainly to be exorcised or dismissed as an evil spirit. But in the resultant it should *tend* to be a harmony and not discord. The various ideas and interests that are "crossing", or conflicting with, one another, should, nevertheless, tend to compose themselves into a community of ideas and interests if they are to further the ends of a common life and endeavour. By conflict they should only round off the angularities of one another which stand in the way of their composing themselves into an evolving harmony. By conflict they must not destroy, deaden and deform one another. Some groupings and adjustments are helpful, others are not. Now, what are so and what are not cannot be told unless we inspect the background where the key board of the "moving picture" works.

#### LVII "THE BACKGROUND"

The background is shaded and blurred, yet the key-board of the moving picture of the whole drama works there. It is required to throw light on it—not fitful, coloured light which helps to keep up the illusion, but steady white light which should dispel it. It is the light of introspection—dispassionate and calm. It should reveal the inner working of our individual and group minds. It should psycho-analyse the subconscious

content of those minds. The various parties and persuasions now colliding with one another should first discover the deeper springs of action which prompt them to act, and consider whether these should or should not be cleansed and controlled. No party should be obsessed with its own side of the shield. It should fully understand and appreciate the reasons which support the opposite side. It should never refuse to listen, weigh, consider and reconsider. Only thus can Harmony evolve out of discord. An agreed ethics of Nationalism will not evolve from partisan, separatist, superficial group psychology. (*Specially contributed by Prof. Promothonath Mukhopadhyaya*)

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**Proceedings of**  
**THE COUNCIL OF STATE**

**July—December 1935**



# THE COUNCIL OF STATE

**Autumn Session—Simla—17th to 28th September 1935**

The Council of State commenced the autumn session at Simla on the 17th September 1935. There was a fair attendance, *Sir Maneckjee Dadabhai* presided.

*Sir Maurice Braysbay* informed the House that the capital required for providing fans in third class compartments of first class railways would be from one and a half to two crores of rupees. Hence, they were unable to embark on it. Information was being collected of the probable cost of fitting fans in inter-class compartments.

## INDIAN TROOPS IN ABYSSINIA

The adjournment motion of *Rai Bahadur M. P. Mehrotra* was discussed only for forty minutes when it was withdrawn. The mover as well as the supporters disclaimed any intention to censure the Government for sending troops to Abyssinia, but wanted an assurance that the Indian army would not be used for purposes other than India's defence and if used it must be at British Government's cost.

*Mr P. N. Saprú* stressed that the Standing Committees of both Houses could be consulted by the Government of India before sending the troops. *Mr Mahomed Padsha* and *Mr Hosain Imam* supported the suggestion for the Standing Committee.

*Sir Bertrand Glancy*, Political Secretary, pointed out that troops had been sent to Addis Ababa with a view to protect Indians and other British subjects and the entire cost of the despatch of troops there would be borne by the British Government.

*His Excellency the Commander-in-Chief* said that the troops had been sent to Addis Ababa in accordance with the policy laid down by the Civil Government. His personal view was if the legislature presented an absolutely agreed proposal which was workable, then the Government would seriously consider it. Let it be remembered *His Excellency* said, questions like the despatch of troops were decided quickly and if Standing Committees composed of representatives of far off provinces were to be consulted there would be delay. Answering *Mr Ramsaran Das* *His Excellency* informed that if England were really seriously entangled in the war, they were bound to have a considerable period of warning. There might be many occasions in which India might have to give a quick answer, such as the holding of the western gateway (Aden) or holding the oil supply in the Persian Gulf. In such a case quick answers about sending troops would be necessary. But normally there would be plenty of time to consult the legislature. *His Excellency* added "If we go to war, we wish to go with India behind it."

## DRUGS ENQUIRY REPORT

**18th SEPTEMBER**—In the Council of State to-day, *Sir N. Choksi* moved a resolution urging the Government to give early effect to the conclusions of the Drugs Inquiry Committee. The mover explained the operation of laws in the various countries, which checked illicit traffic in drugs and also the action taken by the Government of India to take effective remedy in the interest of the health of the people.

*Sir Phiroze Sethna* moved an amendment that if the Government for financial or other reasons were to delay giving effect to all the conclusions of the Committee, at least they should legislate with a view to effectively preventing the sale of spurious drugs. *Sir P. Sethna* quoted from the present law and also the views of the Magistrates to show how the existing law was inadequate. He contended that the existing law provided only against a limited number of dangerous drugs, while several quack drugs escaped.

*Mr Ramchandra*, on behalf of the Government, said that the problem was primarily provincial and the Government of India could only co-operate regarding legislation. The provinces felt unable to provide adequate funds to prevent the sale of spurious drugs. Before the Government of India were asked to embark on legislation, they should find why the present law was found unfit and inadequate. Unless the provincial Governments were prepared for simultaneous action in the matter any effort of the Government would prove unavailing. Even if the Government of



India were to take steps in centrally administered areas, the cost would be in the neighbourhood of three lakhs.

Rai Bahadur *Lala Ramsaran Das* Mr *S Ashuram* and Mr *Hossain Imam* joined in supporting the demand for legislation and pointed out that the development of indigenous drugs with proper control over both indigenous and imported, was essential for the health of the people.

Sir *N Chokry* regretted the *non-possimus* attitude of the Government and speaking with over 50 years of experience as a medical man urged immediate action.

Mr *Ramchandra* detailed the efforts already made in medical research at Kasauli, Calcutta and other centres.

The amendment of Sir *Phiroze Sethna* was carried by 24 votes against 19. The resolution as amended was carried without a division amidst non-official cheers.

#### WOMEN FRANCHISE

The Council then adopted Mr *Hossain Imam's* resolution urging the removal of sex disqualification and enfranchisement of women having requisite qualification to vote in the Council of State elections, which was supported by Mr *Banerjee* and Mr *M Padsha*. Mr *T Sloan*, Home Secretary announced that the Government's attitude was one of strict neutrality.

#### INDIAN ARMY OFFICERS

Rai Bahadur *Lala M P Mehrotra* moved next a resolution recommending to the Government not to repeat the expedient of recruitment of 100 British officers to meet the shortage of the Indian Army officers recruited between 1921 and 1930. The mover asked what was the necessity for recruitment this time, whereby the pace of Indianisation was retarded. If the Government wished they could accelerate Indianisation by promotion from the existing strength and also by an increase in the number of cadets of the Indian Military Academy over and above the present figure of 60.

His Excellency the Commander-in-Chief thought that the mover had misunderstood the reasons which forced the Government of India to follow the present course. He said that owing to an immense expansion of the Army during the war and under-recruitment in the years immediately succeeding it, it became necessary to re-adjust the proportion of officers of the different ranks namely, captains, majors, colonels, etc and eliminate a large number of senior officers. The bringing in of 100 British officers now was not a deep laid plot on their part to slow the pace of Indianisation. After the actual cadres were reduced, about 1,859 officers left the Indian Army between 1922-30. Still it was impossible to keep the correct proportion of the various ranks of officers and there existed an abnormal distribution of officers. His Excellency stressed that it would be impossible to follow the mover's suggestion of bringing in large numbers of young officers from the bottom.

Rai Bahadur *Mehrotra* withdrew his resolution.

#### PROTECTION OF MILCH CATTLE

*Raja Raghunandan Prasad Singh* moved that the bill to protect milch cattle be referred to a joint committee of the Central Legislature consisting of 12 members.

Mr *J C Banerjee*, Mr *H P Barua*, *Lala Ramsaran Das* and the *Raja of Darbhanga* supported the motion, while Sir *Mahomed Hayat Khan Noon*, opposed it.

Mr *Ramachandra*, on behalf of the Government, opposed the motion and said that there was no danger of milch cattle going down and quoted figures to show that the number on the other hand, was steadily increasing. The object of the mover would be gained by improving the breed and the Government were doing all that was necessary in that direction. The motion was rejected by 26 votes to 18.

#### INDIANS OVERSEAS

Sir *Phiroze Sethna* next moved a resolution urging the appointment of a whole-time Secretary of the Government of India in charge of Indians overseas to cope with the problem affecting their interests which was growing in number and complexity in the different parts of the world. Sir *P Sethna* traced the history of the Indian emigration problem and prior to 1912 for over 80 years, the Government's policy had been one of benevolent but watchful neutrality. Now there were over 25 lakhs of Indians outside India and the Government of India could not reasonably claim that their interests in the different places were satisfactorily looked after.

What was worse was that the Colonial and Dominion Governments in other parts of the Empire were gradually pushing out Indians and wanton attacks were made against Indians depriving them of their legitimate rights, especially in Kenya, Zanzibar, etc. It was not suggested that the appointment of such an official would prevent the infliction of injustice on Indians, but at least it would help the Government of India to be able to be more watchful and take prompt action in time to safeguard their interests. He suggested an effective organisation of the headquarters and efficient intelligence service abroad.

Mr P N Sapsra and Sardar Bala Singh supported.

Mr Ramachandra replying on behalf of the Government, emphasised that the Government of India were not unmindful of their responsibilities in this matter and were fully aware of their obligations towards Indians abroad. On this matter, there was no difference of opinion between the Government and the public and related the circumstances under which the Government sent deputations abroad such as Zanzibar and South Africa to protect Indian cause. The question of reorganisation of the Secretariat was still pending. He admitted that under the new constitution, however, the work of Indians overseas would increase as a result of the separation of Burma and he had no doubt that suitable action would be taken when the time came. At present, there were one Joint Secretary and one Deputy Secretary doing overseas work but neither was doing it exclusively.

Sir Pharoze Sethna, in view of the sympathetic reply, withdrew the resolution. The Council adjourned till the 20th.

#### PROTECTION TO GLASS INDUSTRY

**20th SEPTEMBER**—In the Council of State to day, *Ras Bahadur M P Mehrotra* moved a resolution urging the Government to give effect to the Tariff Board's recommendation for protection to glass industry.

He complained against the delay of three years by the Government in publishing the report and even then denying protection to the industry, merely on the ground that the case of soda ash was very strong and, therefore, the industry on balance possessed such natural advantages as to justify the claim of protection.

Mr T A. Stewart, Commerce Secretary said that the Government were not bound to accept the recommendations of a purely investigating and advisory body. Soda ash was a most important material for manufacture, for which in the absence of adequate supply, India was dependent on imports from abroad. The anticipation that alkaline works would produce adequate quantity of soda ash did not materialise. The Government by altering the duty on the imports of soda ash helped the industry to reduce the cost of production by nearly five per cent. If the resolution was accepted by the House, the policy of discriminating protection would be ignored and the consumer would be affected.

Mr Hossain Imam asked that when cotton for manufacture of higher counts of yarn in India was imported fully from Uganda and the textile industry was given protection, why was protection denied to glass industry, when it had at least some advantages? Was it because the glass industry was poor that the Government showed a different treatment?

*Ras Bahadur Lala Jagdish Prasad*, Mr Jagannath Pandit, Mr S Askaran and Mr P N Sapsra further supported the resolution and maintained that the case for protection to glass industry was established beyond doubt and if protection was delayed, the industry might be crippled for ever. The Government inaction, they feared, was due perhaps to free trade principles of the present Finance Member, who thrust his convictions on the Government.

Mr Stewart repudiated Mr Hossain Imam's suggestion that the Government of India afforded differential treatment between the major industries like textile, steel and the minor industry like glass.

The House divided and the resolution was negatived by 16 votes against 22, an important feature being that all the Indian elected members in the Chamber voted for the motion.

#### STERLING LOANS

Mr Hossain Imam moved a resolutions conveying the disapproval of the House of the flotation of sterling loans by the Secretary of State and requesting him to abstain from floating sterling loans in the future.

The mover recalled that on March 20, 1932, his resolution for the reduction of sterling commitment was accepted by the Government. But a fortnight later, three

and a half percent sterling loan was raised by the Secretary of State while shortly thereafter a loan was floated in India at a rate that Indian loan went down and there was panic in the market. In September the same year, he was told by the Finance Secretary that the Government hoped to pay the sterling loan maturing in December 1933 from the Treasury balance. But the Secretary of State actually floated another sterling loan at three and a half percent. Mr. Hossain Imam contended that there was no urgency to pay up this debt. He argued that the Secretary of State had ample funds to draw upon, but just as a feeler towards the British war loan maturing in the summer of 1932 the Secretary of State made India the scape goat. The recent sterling loan was also not urgent, for the Secretary of State had a huge balance of 90 crores. Finally Mr. Hossain Imam opined that within a period of 16 years since the introduction of Reforms not a single funded sterling loan was paid from the reserve.

Mr. Buta Singh thought that the Government should have freedom to raise money in the cheapest market.

Mr. Talents, Finance Secretary, affirmed that there was no truth in the statement that the Secretary of State borrowed without reason and pointed out that no borrowing was resorted to, unless money was required. A large proportion of sterling or rupee debts were incurred for productive purposes. The policy of the Government was fully explained by Sir Basil Blackett and reiterated by Sir George Schuster and Sir James Grigg that the Government finances should be based as far as possible on productive rupee capital in India. But this could not be done with a mere wave of the hand. None would borrow at a higher rate of interest with a view to paying off sterling debt at a lower rate. The United States was sometimes glad to raise money outside. There were plenty of other countries willing to borrow in England, if India was not so willing. Recently, there had been reduction in the sterling debt by seven and a half millions. The resolution was impracticable, because it would place practical difficulties in the way of raising money in England even if the rate was cheap. And there was £75 million maturing in the course of the next few years.

Rai Bahadur Lala Ramsaran Das asked why the Government of India raised money in England, when money could be raised in India at the same rate.

Mr. Talents: Because payments in England are made in sterling.

Mr. Hossain Imam thought that the Government of India did not want to reduce sterling commitments just to make out a case for financial safeguards.

The resolution was lost without division.

#### INDIANS IN KENYA

Mr. P. A. Saprú's resolution regarding Kenya was withdrawn, after a brief discussion. Mr. Saprú protested against the exhibition of racial discrimination against Indians even in a Crown colony. He stressed that the matter was of fundamental importance to Indians in which India's honour and ultimate allegiance to the British Crown were involved. The highlands represented the best lands in Kenya and he demanded why Indians who helped considerably to build Kenya were deprived of an opportunity to acquire lands. He feared that giving effect to the Carter Commission's recommendations would deprive even the elementary rights of Indian settlers.

Mr. Ramchandra, on behalf of the Government, declared that there was an identity of opinion between both Government of India and the public on the question. He emphasised the strong views of the Government of India taken up in 1923 to which they still adhered. He referred to the debate in the Assembly last March since when they made representations to the Colonial Office through the Secretary of State for India, fully stressing the feelings in India. In view of the actions already taken, Mr. Saprú's resolution was belated. Mr. Ramchandra pointed out that the subject was still one of negotiations and that the correspondence could not be published until the negotiations were completed. The resolution was withdrawn. The House adjourned.

#### OFFICIAL BILLS

**21st. SEPTEMBER**—Four Bills as passed by the Assembly and two motions were passed by the Council of State at a brief sitting, lasting 17 minutes. They were the amending Bills to the Army Act, the Central Provinces Court Act, the Provincial Small Causes Courts Act and the Provincial Insolvency Act.

The two motions were for electing a member each to serve on the Standing Committee of the Posts and Telegraph Department and the Central Advisory Board of the Education Council. The Council adjourned till 23rd when the certified Criminal Law Bill was taken up for consideration.

## CRIMINAL LAW AMENDMENT BILL

**23rd SEPTEMBER**—The galleries were crowded to-day prominent persons including Mr Griffiths, Bengal Civilian and Mr M S Anay, Nationalist Party Leader in the Assembly, when the Council of State commenced discussion of the Criminal Law Bill as certified by the Governor-General.

Mr T Sloan, Home Secretary, contended that the Bill was designed in the interest of peace and good government in India by provisions intended to deal with the possible revival of civil disobedience and forces of terrorism, Communism and communalism. The Government attached importance to the Bill, which they considered essential in the interests of India. The refusal of the Assembly even to take the Bill into consideration resulted in the Bill coming in a recommended form to be accepted or rejected but not to be amended. Mr Sloan hoped that this restriction of powers of the House would not influence the attitude of the House in considering the Bill with due sense of responsibility. Referring to the civil disobedience movement, Mr Sloan said that this was still a potential danger as revealed by the statements of Congress leaders including Mr Gandhi. Picketing had become a normal feature of expressing opposition to the Government and causing annoyance to those who differed from the picketers' religious, economic and political views. The Bill would not apply to peaceful picketing resorted to in industrial areas, but only to picketing of a political character. As regards unlawful associations, the Act of 1908 was found by the Magistrates to be inadequate and with a view to crippling the activities of such associations, it was necessary to remove their headquarters and rob them of funds.

As for terrorism, though the situation in Bengal had improved, none would hold that it was either dead or dying, for there was plenty of evidence that the terrorists were still active, constantly infecting new victims. It showed itself also in Ajmer, the United Provinces and Bihar. Any relaxation of the control of the Press whose writings glorified the deeds of murderers would be, therefore, unwise.

Mr Sloan contended that the rapid deterioration of the Press would follow, whenever control was relaxed. Criticism of the Government was not prevented, but distortion of facts for seditious propaganda must be checked. Though the control of the Press as proposed was drastic, it was not more drastic than the situation demanded.

The increase in the numbers of newspapers since 1932 showed that there was no undue restriction on the liberty of the Press. The value of the Press provisions was not that they would exercise restraining influence on irresponsible section and at the same time enable the Government to deal with the manifestation in an effective manner, when any paper overstepped the mark.

As regards Communism, the objects as published were the violent overthrow of the British Government, the abolition of Indian States, the establishment of Soviet Government, confiscation of lands, etc. Communalism was the latest danger which also obtained encouragement by writing in a section of the Press. All Local Governments unanimously favoured all the provisions of the Bill. Seldom had the Government of India obtained such unanimity in favour of any measure as on this Bill. (Cheers.)

Sir Ptrose Sethna was the first Opposition speaker. He felt inclined to support the Bill in respect of the provisions relating to terrorism, Communism and communalism and was even ready to curtail, if not eradicate, the gutter Press, but as the Bill had come certified to which no amendment could be made, he was constrained not to support the Bill. The Bill was apparently intended to make plain sailing for the Government for all time, for why should the Government make it permanent when it was open to ministers of the Federal Government to have such an Act? Why not have this Bill for three or five years? Why in perpetuity? This was its chief defect and as the Council by the Governor-General's certification was deprived of making amendments, he had no option but to oppose it.

Whenever any reforms were about to be inaugurated, there were repressive laws. It almost showed that Britishers were unable to carry on the administration in India without some repressive legislation or other. Sir P. C. Sethna congratulated the Government on deleting the provisions relating to civil disobedience itself. He hoped that this was not done by way of a sop, so that the rest of the Bill might be accepted in toto by the Legislature. He whole-heartedly favoured the provisions against terrorism, but while endeavouring to put that down, the Government must adequately satisfy national aspirations. He was glad that an anti terrorist league was formed in Bengal with branches.

If the communistic activities were dangerous, they must be suppressed, but it would be sheer folly to attempt to kill the thought of Communism. Were the Govern-

ment going to ban Prof. Laski, Mr MacMurray and a host of other writers? An antidote to Communism was a well-considered, practical system of social and economic reconstruction. Communism could be suppressed, if every officer of the Government was strictly enjoined to maintain most scrupulous impartiality and show no bias against any community. But no special legislation of this kind was necessary to meet communism, for the Penal and the Criminal Procedure Codes and local Police Act were quite sufficient.

*Khan Bahadur Abdul Hafeez* referred to the prosecutions by the Punjab Government under the Criminal Law Amendment Act in connection with the Shahidganj affair which had perjured Muslims all over the country and Muslim members of the legislatures, as to the course of action they should adopt as regards the Bill before the House. However, he was not embarrassed of those actions of the Punjab Government while passing this Bill, but hoped that the Government should give careful consideration to the pros and cons before applying any provision of the measure. He supported the Bill.

*Rai Bahadur M P Mehrotra* said that it was an irony of fate that every instalment of reforms in India was preceded by some notorious repressive legislation and perhaps history was repeating itself at the present time also. Speaking on the merits of the Bill, Rai Bahadur Mehrotra opined that Communism and terrorism were due to economic causes and any amount of Press laws would not stamp out the evil. The best method was to develop industries and find out avenues of employment for the youths of the country. If that was done the movement would die a natural death.

Referring to communalism, he asked whether the most superior appointments at present monopolised by non-Indians were not part of Government's policy of sectarianism. By suppressing the Press communalism could not be stamped out. He divined that the motive of the Bill was that they wanted to establish the rule of order rather than law. The speaker quoted opinions expressed in the old Imperial Council by Mr Gokhale and Sir M Dadabhai (now President) in support of his arguments.

The President pointed out that those were said 25 years ago.

*Rai Bahadur Mehrotra* You were perhaps of the same age then as ourselves (Laughter).

*Mr Mitchell*, Leader of the House, asked whether the speaker was in order to quote the views expressed years ago by one who now occupied the chair.

The President It is not proper etiquette. The hon ble member would be showing good taste by not referring to such views.

Continuing, Rai Bahadur Mehrotra quoted the views of Sir Charles Metcalfe and Mr Gladstone and contended that the proposed Press Law would act as a deterrent on the diffusion of knowledge and the Bill taken as a whole was meant to be luxury to safeguard the interests of Government officers.

*Mr J C Banerjee* described the Bill as the quack remedy of a quack doctor. In order to cure local disease in the Punjab and Bengal, the Government had brought forward a Bill for the whole of India. The Government had no right to thrust an unwanted piece of legislation on the whole of India for the sake of dealing with a local disease.

*Mr P N Saprú* opposed the Bill as being inconsistent with the basic principles of liberal democracy. It would mean the funeral of democracy while India was still in infancy, for it gave powers for the future Government of vested interests to crush the opposition political parties by declaring them unlawful and forfeiting their funds. He would rather trust the British executive than the Government of vested interests. The verdict of the Assembly in rejecting the Bill at consideration stage was perfectly legitimate. Why did not the Government accept at least the suggestions of the Government's own friends before certifying the Bill?

Dealing with the provisions of the Bill, he criticised them as being opposed to the principles of British jurisprudence. It was true that civil disobedience had not been completely abandoned, but the Government, by this Bill, only helped civil resisters, who elevated suffering to the levels of religion. If the Government followed a wise and generous policy, there would be no civil disobedience. He suspected that the Bill was really in the nature of a further safeguard.

*Mr Saprú* exhaustively criticised the provisions relating to the Press and, after paying a tribute to the work of eminent Indian journalists in the progress of India, condemned the provisions as intended to muzzle the Press. Mr Saprú was prepared for no compromise over the Press provisions and said that the Government's booklet contained writings of a section of the Press only in the Punjab and Bengal. Why then should the United Provinces Press or Press of other provinces be penalised?

For the growth of responsible government, there should be a vigorous and healthy press, which would be difficult to grow under this Bill. He condemned terrorism as being against the genius of Indian religion, and regarding communalism, he said that for part of it, the responsibility rested on the British Government in India by making communalism a criterion for appointments.

The *Maharaja of Darbhanga* supported the measure as it was essential for the tranquillity of India. State holders who looked to the Government for protection of their rights and interests considered it their paramount duty to strengthen the Government's hands to keep a check on those factors, which had disruptive or coercive tendencies. The Act which it was intended to continue had effectively dealt with civil disobedience. If terrorist activities, Communistic menace and communal unrest did not assume uglier shape, it was because the executive were fully armed to deal with them. The *Maharaja* asked "Should we wait till civil disobedience re-appears, till there are more murders and dacoities committed by terrorists, till the Communist party got more recruits, till communal unrest developed into civil war and then re-arm the executive with the necessary powers to meet the situation or should we give the power here and now to maintain peaceful atmosphere?" The Bill, if placed on the statute book, would enable the situation to improve still further. There is no Machiavellian design in the present Government for they are only anxious to hand over the reins of office to responsible Ministers in the best of conditions. So long as we hold the present executive responsible for the maintenance of law and order, we must arm it with power to discharge its duties.

Mr *M. Subramanyam* coming from Madras said that the Government were justified to bring forward the Bill. But when it was twice rejected by the popular house why should the Government thrust it down India's throat? He preferred the Government waiting till December and if after then the situation was to become bad, then they could bring forward the Bill.

Mr *K. N. N. Saha* of Nashipur said he was not prepared to arm the executive with such an absolute and autocratic measure for any future contingency. However, he would have preferred extending for a few years the life of the existing Act. As it was not possible to suggest amendments he would remain neutral.

Mr *Campbell* of the Bengal Chamber of Commerce had no doubt that the Governor-General, while certifying the Bill had given the most careful and mature consideration that it was necessary for the welfare of the people of India. He believed that there would arise few occasions for action under this Bill and if the people observed the law, the Bill would for all practical purposes remain a dead letter.

*Raja Charanjit Singh* and *Raja Raghunandan Prasad Singh* strongly supported the Bill as necessary for suppressing subversive movements.

Mr *N. Choksy* expressed the opinion that those who opposed the measure had not discussed it on its merit and had side tracked the arguments in their refusal to face facts. He believed that prevention was better than cure and the policy of the Congress which brought desolation and misery to the masses was still fresh in memory. He was of opinion that picketing could never be peaceful. He whole-heartedly supported the Bill.

*Rai Bahadur Lala Ramsaran Das*, Leader of the Opposition said that they were left in the unfair position of either accepting or rejecting the Bill. Hence there was no alternative left to them, but to oppose it in toto. He appealed to the Government to reconsider the matter and in the light of the conclusive verdict of the Assembly. Drop the Bill and leave the local Councils to take local measures to deal with danger against which the Government wished to arm themselves. If necessity to deal with civil disobedience arose, it was open to the Government to enact ordinance in the light of past experience, but would be unwise to arm the Government with permanent legislation as that would retard the healthy growth of democratic administration and outlook.

*Sir Mahomed Hayat Khan Noon*, with his knowledge as Commissioner in the Punjab, testified to the fact that the ordinary law failed and it was only by emergency powers given in 1930 that the Government could deal with the various menaces.

The Council then adjourned.

**25th SEPTEMBER**—During the debate to-day Mr *V. K. Kakkar* was the first speaker on the Bill. He accused the Government of breaking the pledge solemnly given by Sir Harry Haig, former Home Member to the popular House, that the Act was intended to quell civil disobedience alone and its continuance or otherwise would be in others' hands than the Government's. The British Government

still pinned their faith to democracy and Parliamentary institutions and they were entirely mistaken to quote dictatorial examples of Germany, Russia, or Italy. If they wanted such enactments it was better they throw away the mask and that sham of democracy and all paraphernalia. The speaker claimed that picketing was recognised even under the Gandhi Irwin Pact and the existence of the so-called gutter Press was not peculiar to India. Even in England, there existed papers like "Buglar Times," also the worst specimens of which he would make a present to the Home Member (Laughter).

Sir Henry Craik said that the Bill came in a certified form because a majority of the Assembly contemptuously rejected the measure twice. The fault did not lie at the doors of the Government. The only change in the circumstances in India since 1882 was the suspension of civil disobedience. Hence, the Government deleted from the present Act the provisions intended to check the ordinary manifestation of that movement. But according to public statements of the Congress leaders and even speeches in the Assembly, the Civil Disobedience mentality could not die. In fact, the Congress Party opposed the measure because they did not want that the Government should have powers to kill civil disobedience again when it was revived according to their own convenience. The picketing mentality was against the basic ideas of democracy.

The main justification for the Government making the Bill permanent was that they did not foresee within the measure of time when the triple menace of terrorism, Communism and communal unrest would be less serious than at present. The terrorist situation in Bengal, no doubt improved under the drastic measures taken by the Bengal Government and it was partly because of revulsion of feeling against the terrorist methods. But since the last Delhi session of the Legislature, there had been 27 instances of terrorist outrages including three murders, a few dacoities and certain armed robbery in which bombs and other weapons were used. Last night the Government received a report of the murder of a Police constable by a suspect, when arrested.

The danger of Communism was steadily growing and though Sir Henry Craik admitted that Indian culture and tradition were against such doctrines still it remained a danger because dangerous doctrines through Indian propagandists trained in Communist school abroad and with communist funds were steadily being spread in India.

Regarding communalism, Sir Henry Craik recalled the Karachi, Lahore, Ferozabad, Agra, Hyderabad (Deccan), Champaran and Noakhali riots and said that the Government would be failing in their duty, if they allowed the poison of communal hatred to spread in India. For one unrest the Government officers had prevented at least twenty (Cheers). Most of the district officers were Indians and their main preoccupation was to allay and assuage communal differences.

The Home Member emphatically denied the statement (hitherto completely unsubstantiated) that the Government were responsible for communal hatred. Whenever any communal disturbances occurred, both parties cried "Send us British officers, British Magistrates and British Judges." There is no use in blaming the Government. Never in my experience of 36 years have I known communal unrest so great a menace to peace as in India.

Sir Henry Craik then exhaustively dealt with the provisions relating to the Press and invited any member of the House to come and wade through the 429 printed pages containing newspaper cuttings supplied by local Governments with a view to satisfy himself as to the seditious propaganda and incitement to murder. He added that there was a section of the Press, which owed no allegiance to any party on principle, but indulged in reviling other people.

A Member: Why did the Government penalise 15 newspapers over Quetta?

Sir Henry Craik: Because they gave publicity to vile and unfounded lies. Are we to keep quiet?

Rai Bahadur M P Mehrotra: They should be merely contradicted.

Concluding Sir Henry Craik said that the terrorist, the Communist, the seditious monger and the civil disobedience-man all interfered with the liberty of the people of their victims. The Government were bound to protect the ordinary peaceful and law-abiding citizens, from the interference of the revolutionary, the terrorist and the civil disobedience-man.

Mr Hossain Imam vigorously opposing the measure, said that it was worse than the ordinances itself. The Governor-General could have dropped the measure, after it was twice rejected by the assembly. Could not the Governor-General have modified

the measure to make it less unacceptable? By the present Bill, the provisions restricting the liberty of the Press to criticise Indian States' Rulers, which would expire soon, had been given permanent lease of life.

Mr *Ranganayakulu Naidu* said that the Bill would create a large number of Mussolins, who would make mince-meat of every progressive movement.

*Dewan Bahadur G Narayanaswami Chetty* supported the Bill as a well-wisher of peace, order and happiness in India.

*Rai Bahadur Lala Jagdish Prasad* and Mr *V C Vellinguri Goundar* opined that the cure for discontent was a rapid development of the natural resources of the country, but not enactment of a stringent measure.

*Raja Ghasanfer Ali Khan*, whole-heartedly supporting the measure, hoped that few occasions would arise for the application of the provisions and that the Government would instruct officials to use proper discretion.

Mr *Mahomed Padsha* said that in view of the happenings in the Punjab, he felt inclined to oppose the measure, but he did not wish to vote against the Government, because he felt there was need for continuance of the law for some time longer.

Mr *T Sloan*, winding up the debate, recalled that the present Act, which was proposed to be given a permanent lease of life was passed by large majorities in both the Houses of the Central Legislatures. It was open to any provincial Government, if it could do without the proposed Act to have it repealed at any time. The Government of India would reiterate that the orders under the Act would be applied with restraint and discrimination. The Government of India whose policy had been to ultimately establish the greatest Federation which the world had ever seen and which will unite the whole of India under a single Government, felt convinced that the Bill was essential for the peace and good government of the country.

The House divided and the motion for consideration was passed by 35 votes against 10 votes.

The debate on Clause two was then taken up. It was not concluded, when the House rose for the day.

#### IMPROVEMENT OF JAIL LIBRARIES

**26th SEPTEMBER** —In the Council of State to-day, moving a resolution urging the improvement of Jail Libraries in India, *Dewan Bahadur G Narayanaswami Chetty* complained that even religious books like the *Ramayan* and the *Mahabharata* were not available to prisoners and if any was found, it was mostly torn and several pages were missing. Though the matter concerned the provinces, the Government of India should take the initiative in the matter and dole out funds to the various jails.

Mr *T Soles* sympathised with the resolution and referred to the Government's order issued in 1930 which was reiterated in last May. He assured the House that they would do what they could to see that jail authorities did not neglect their responsibility.

*Dewan Bahadur Narayanaswami Chetty* wanted to withdraw his resolution but leave was not granted and the resolution was carried.

#### EXPORT OF GOLD

Mr *Bossam Iwama* moved the next resolution urging the Government to purchase gold at the current market rate and impose a small export duty on gold. While admitting that India's holdings in sterling had increased in recent years, it was not so great as to allow India to do away with her gold requirements. He pointed out that India and England left the Gold Standard on the same date, i.e., September 21, 1931. While England was prudent enough during the period to augment her gold reserves with the Bank of England worth over eighty crores of rupees, India had done nothing to replenish her reserves but on the other hand the country became poor through unchecked gold export. The policy of *laissez faire* had proved ruinous. India's sterling debt had not been reduced a bit.

*Rai Bahadur Kamesarandas* stressed how the Government's exchange policy adversely hit agriculturists. He maintained that unchecked export of gold was not in the interest of India and it was high time that the Government imposed limitation thereon.

Mr *P C Tallents*, Finance Secretary, was imperfectly heard in the gallery. He opposed the resolution. He pointed out that since Britain went off the Gold Standard in September 1931, to the end of July last, India exported 294 lakhs of



ounces of gold. During the previous seven years from 1924-25 to 1930-31, she imported on balance about 332 lakhs of ounces of gold. She had not yet, therefore, exported as much as she had imported during those seven years but still had a margin of thirty-eight lakhs of ounces of gold. For the gold India imported during the seven specified years she had paid 194 and a half crores of rupees. For the smaller quantity she exported since England went off the Gold Standard, she received 233 crores of rupees. India would thus make a profit over her gold transactions of over Rs. 38 crores, and still had 36 lakhs of ounces in hand.

Referring to the resolution Mr Talents asked what to do with gold if purchased by the Government. Would Mr Hosain Imam agree to its being exported to settle the balance of trade? Gold was unproductive possession. If all gold exported since 1931 had been diverted to the Issue Department of the Bank, their notes circulation would have more than doubled and commerce would have been none the better for it and results would have been disastrous, for India's credit might have been affected.

Referring to the suggestion of export duty, Mr Talents asked, if it was distressed gold as believed by some, why not allow the distressed owner to make and reap the benefits of his past thrift? If export of gold was prohibited, distressed cultivators would still part with their accumulations to the debtor and as a dealer could not export, the price of gold would fall and the distressed cultivator would find his reserves bringing him less. It was in the interest of the ultimate seller and also to maintain unimpeded flow of trade that the Government of India had hitherto refrained from imposing a duty on export.

Mr Hosain Imam reminded the Government how, when the silver import duty was increased, there was reduction in world price and suggested similarly that the world price of gold would be affected.

The resolution was rejected without division.

#### CRIMINAL LAW BILL (CONTD)

Consequently as previously agreed on the statement of Mr Mitchell leader of the House, the House took up for detailed discussion the Criminal Law Bill. At that time Lala Ramsarandas, Mr P N Saprú and a few other members of the Progressive Party were not present in the Chamber. The President put clause by clause. No member stood up to speak. All clauses were thus put without discussion and carried.

It was only when the Bill as recommended by the Governor General was being put for the last time that Lala Ramsarandas, Mr Saprú and two others entered and found that it was too late to speak.

The Bill was passed amidst laughter and cheers.

#### THE EMPLOYMENT OF WOMEN

The House agreed to Mr Mitchell's motion to ratify the draft convention concerning employment of women during night and also passed the Bill amending the Factories Act. The House passed the Bill amending certain enactments and repealing certain other enactments and adjourned till the 26th.

**26th SEPTEMBER**—The Council of State held its last sitting for the session to-day.

#### COFFEE CESS BILL

The Coffee Cess Bill was introduced by Mr T A Stewart, who described it as the 1935 model of the older Cess Acts, about tea, cotton and lac. All administrations in South India had pressed for it and so had a big majority of coffee-growers. The cess would be small, barely one per cent ad valorem to start with and the composition of the Committee would give a majority to Indians.

Mr Hosain Imam admired all cesses but had doubts about this. How would it affect the preference granted to Indian coffee under the Ottawa Pact? The composition of the Committee might, he thought, be improved by giving representation to labour and Mr Saprú, the consistent supporter of the workers' interests that he is, reinforced the plea.

Sir David Devadoss, Mr G Narayanaswami Chetti and Mr V C Vellinguri Goander, all spoke supporting the Bill and Mr Stewart replied to Mr Hosain Imam's points. He held up Kenya's example as worthy of being followed and hoped that later there may be a case for asking for increased preference. The Bill was passed.

The Jabalpur-Chattargarh Divorce Proceedings Validation Bill was also passed. Mr Mehrotra, who wanted to refer to certain recent judgments of the Allahabad High Court, was pulled up by the President. The Council then adjourned *sine die*.

**Proceedings of**  
**The Legislative Assembly**  
**and**  
**The Provincial Councils**

**July—December 1935**



# THE LEGISLATIVE ASSEMBLY

Autumn Session—Simla—2nd to 26th September 1935

The autumn session of the Legislative Assembly opened at Simla on the 2nd September 1935. Sir *Abdur Rahim*, President, took the chair. There was good attendance in the House and public galleries. The proceedings began in a spirit of good cheer when a number of new members, including Government front benchers, were applauded while taking the oath.

Condolence references were made to the late Mr *Faqir Chand*, sitting member of the Assembly, who died recently and to Sir *Basil Blackett* and Mr *Ayyangar*, who died since the last session.

## ADJOURNMENT MOTIONS DISALLOWED

The President mentioned a number of adjournment motions. Those relating to Quetta were not moved. The President announced the disallowance by the Governor-General of the adjournment motion relating to Mr *Mohanlal Saxena's* visit to Bengal on the ground that the matter did not concern the Governor-General in Council (Congress benches 'shame shame'). The President next took up *both Gorind Das's* motion relating to the conduct of the soldiers of the King's Regiment, Jabalpur. Sir *N. N. Sircar* objected stating that the matter was subsidiary. The President ruled the motion out of order.

While the previous adjournment motion of Mr *Akhil Dutt* was disallowed on technical ground, Mr *Satyamurthi's* motion raising the same question in general terms was allowed by the President and the debate was fixed at 4 in the afternoon but it was subsequently disallowed by order of the Governor-General.

## CRIMINAL LAW AMENDMENT BILL 1935\*

Sir *Henry Craik* then asked for leave to introduce the Bill amending Criminal Law and said that the Bill was likely to prove contentious but he expressed the hope that they would be able to do so without bitterness. On his side he assured he would keep any bitter feeling out of the discussion.

\*Text of the Bill. The following is the text of the Bill—"Whereas it is expedient to amend the criminal law in the manner herein after appearing, it is hereby enacted as follows—

- 1 (1) This Act may be called the Criminal Law Amendment Act of 1935.
- (2) It extends the whole of British India including British Baluchistan and Sonthal Parganas.
- 2 (1) Sub-section (3) of section 1 and sections 2, 3, 4, 6, 8, 15, 17 and the amendments to the Act of 1932 are hereby repealed.
- (2) Sub-section (3) of section 1 of the Indian Press (Emergency Powers) Act 1931 is hereby repealed.
- 3 In the preamble to the Criminal Law Amendment Act, 1932 the word 'temporarily' shall be omitted.
- 4 In sub-section (4) of section 1 of the Criminal Law Amendment Act, 1932, words and figures 'section four and words 'section four or shall be omitted.
- 5 In section 9 of the Criminal Law Amendment Act, 1932 (a) in clause (11) the figures 'two', 'three' and 'six' shall be omitted and (b) clause (11) shall be omitted.
- 6 In sections 11, 12 and 13 of the Criminal Law Amendment Act, 1932, the words 'so long as this Act remains in force' and words 'deemed to be shall, wherever they occur, be omitted.
- 7 In section 32 of the Indian Press (Emergency Powers) Act, 1902 the words 'so long as this Act remains in force' shall be omitted.

**Statement of Objects and Reasons**—The following is the statement of objects and reasons attached to the Bill—

"The Criminal Law Amendment Act 1932, will expire on December 18. The Government of India propose by this Bill to continue certain of the provisions in that Act in a permanent form.

The President held that no breach of privilege was committed. The House granted leave to introduce the Bill.

#### PROV INSOLVENCY ACT AMEND BILL

After the Criminal Law Bill five other Government measures were introduced. Sir N N Sircar's Bill amending the Provincial Insolvency Act was designed to assimilate the terms of Sec. 39 to those of Sec. 30 of the Presidency Towns Insolvency Act.

In the statement of objects and reasons appended to the Bill Sir N N Sircar says "There is judicial authority for the proposition that a composition under section 39 Provincial Insolvency Act, 1920 (V of 1920) releases an insolvent only from debts entered in the schedule but not from a debt in respect of which a creditor has not taken part in one insolvency proceedings whereas section 30 of the Presidency Towns Insolvency Act, 1909 (III of 1909) releases an insolvent from all debts provable in insolvency. A comparison of section 44 of the former Act and section 45 of the latter Act indicates that the effect of the order of discharge is substantially the same under both the Acts and there is no good reason why the effect of a compromise should not similarly be the same. This Bill is designed to assimilate the terms of section 69 of the Provincial Insolvency Act, 1920, to those of section 30 of the Presidency Town Insolvency Act, 1909.

Sir N N Sircar's another Bill amending the Provincial Insolvency Act relates to sec 17 and is intended to make it clear that a preliminary application to ascertain what security will satisfy the court must be made and decided before a substantive application for order to set aside a decree and that it is always open to an applicant to adopt the alternative course of depositing the total decretal amount.

Sir N N Sircar's next Bill makes small changes in the Income-tax Act, the Merchant Shipping Act while it repeals the six Manipur regulations in consequence of the cession to the Maharaja of Imphal of Manipur.

The present act includes, (1) provisions against certain forms of intimidation (sections 2 to 4 and 6 to 8) (2) provisions against associations dangerous to public peace (section 13) and (3) provisions to secure greater control over the press (section 5 and sections 14-16).

The civil disobedience movement is at present in abeyance. The Government have therefore decided not to continue the provisions against those forms of intimidation which were the special feature of that movement, namely sections 2 3 4 6 and 8 of the Act.

Section 7 stands on a different footing. Picketing has not ceased with the civil disobedience movement. It is now reorganised not only as a means of opposition to any form of constituted authority but also of causing annoyance to private persons who differ from political, economic or religious views of picketers. It is likely to be the main feature of any subversive movement and it cannot be dealt with effectively under the ordinary law. The Government, therefore propose to give permanent effect to section 7 which will as at present, not come into force unless extended to a particular area by the local Government.

Section 13 confers on the Government powers to take certain action in connection with places used for the purposes of an unlawful association. It was enacted to strengthen the Criminal Law Amendment Act, 1908 which is a permanent Act. It is therefore logical to give permanent effect to the provisions of section 13. Unlawful associations are formed for the furtherance of subversive movement and it is essential the Government should retain powers to enable them to deal effectively with such associations when they are of dangerous character.

Section 5 of the Act, 1932 makes it an offence to disseminate the contents of proscribed documents. It is a logical supplement to the Indian Press Emergency Powers Act (1931) and section 99-A, Code of Criminal Procedure, 1899 and should have the same period of validity as those Acts. Sections 14 to 16 continue and extend the scope of the Indian Press Emergency Powers Act, 1931. Having regard to the continuance of the terrorist movement and to the existence of the movement which has for its object to overthrow the present social and economic system by violent means and constantly recurring outbreaks of communal feeling the Government cannot safely relax their existing powers for the control of the press and of unauthorised news sheets and newspapers.

## ARMY ACT AMENDMENT BILL

Mr *Tottenham's* Bill amending the Army Act, 1911, provides two new sub-sections in sec 103-A enabling the Governor-General-in Council to release such persons, who, when brought to trial before a court martial, are found to be of unsound mind and therefore incapable of making a defence or found guilty but insane at the time of committing the alleged offence. The opportunity is also taken to rectify two omissions in the Act, one being to empower the district court martial to award to a warrant officer sentence of forfeiture of seniority rank, reprimand and severe reprimand on the analogy of sec 182 of the Army Act.

## MOTOR VEHICLES ACT AMEND BILL

Sir *Henry Craik's* Bill to amend the Motor Vehicles Act gives effect to the suggestion that purely technical offences under the Act and rules made thereunder will be compoundable at the option of the alleged offender.

In the statement of objects and reasons of the Bill Sir *Henry Craik* says 'In 1932 the Government of the United Provinces appointed a committee to consider the taxation of road traffic. That committee recommended *inter alia* that purely technical offences under the Motor Vehicles Act or rules made thereunder should be compoundable at the option of the alleged offender. The Bill seeks to give effect to this recommendation. It is thought that the offences under sections 3, 5, 6 and 7 of the Act should not be made compoundable and as regards the offences against the rules made by the local Governments under section 11 of the Act it is proposed to leave it to them to notify what such offences are to be made non compoundable. Other offences should be made compoundable with the permission of a court either before or after the appearance of the accused in the court for a sum not exceeding the maximum amount of fine for the offences concerned. Such composition should count as conviction and the driver's licence will be liable to be endorsed under sub section (2) of section 18. The machinery for the composition of offences is left to be governed by the rules to be made under the Act. Some difficulty has been experienced as to the periods wherefor endorsements on the driver's licence should subsist. It is proposed to leave the matter to be regulated by the rules made by the local Governments under section 11 of the Act'.

## EMPLOYMENT OF WOMEN IN NIGHT

Mr *Mitchell* moved the ratification of the draft convention concerning the employment of women during the night (revised 1934) adopted at the 18th session of the International Labour Conference. Mr *Mitchell* said that the resolution was necessitated by the ruling of the International Court of Justice that the convention passed in 1919 did apply to even women in positions of supervision and management. The Government of India now adhered to the original convention and ratified the new one, thus going in the desired direction. The resolution ratifying the convention was adopted.

Consequently Mr *Mitchell* introduced a Bill amending the Factories Act removing the power to exempt women managers or supervisors from prohibition of employment during night hours, thereby bringing the law in line with the International Labour Convention. The House at this stage adjourned.

**3rd SEPTEMBER**—The Assembly met to day to discuss official legislative measures brought over from the last session and also to consider the Tariff Board proposal to reduce to 15 per cent duty on carbon blocks.

The motions for adjournments were then taken up. Mr *Gauha* did not move his first motion relating to the Shahidganj mosque.

Mr *Satyamurthy* wished to move his proposition alleging lack of discipline among troops as evidenced by the conduct of certain soldiers in Banda village near Jabalpur. He promised not to refer to the matters pending before the court but felt a debate was necessary as evidence of lack of discipline elsewhere too was growing.

The President held the motion could not be discussed without referring to the conduct of soldiers on trial and therefore ruled it out of order.

## CINEMATOGRAPH BILL

Sir *Henry Craik* moved for the consideration of the Cinematograph Bill as passed by the Council of State. Sir *Henry* said that the measure had been very carefully considered but if the House so wished he would not object to its reference to a select committee. The motion for the select committee was adopted.

## ALGARH MUSLIM UNIVERSITY ACT AMENDMENT BILL

Sir G S Bappas then moved the consideration of the Bill to amend the Algarh Muslim University Act already passed by the Council of State, making the appointment of pro vice chancellor purely discretionary according to the view of the court of the university instead of obligatory as now.

Mr Shaikat Ali proposed an amendment to abolish the post of pro-vice-chancellor. Sir Mohammad Yakub objected as due notice of the amendment was not given. The President upheld the objection.

Mr G S Bappas then moved the adoption of clause 2 of the Bill.

Mr Shaikat Ali opposing, recalled the original verdict of the court in favour of the abolition of the post and alleged that there was corruption and jobbery which would continue if the two posts were kept. 'Let Dr Ziauddin live in a singular glory. He reminded the House that the Rahimtoola report which made Dr Ziauddin retire seven years ago was thrown to the winds.

Sir G S Bappas replied that the original motion for the abolition of the post was based on the plea of retrenchment and said the approval of the Government was unnecessary to the appointment of the pro-vice-chancellor. Therefore the allegation of Mr Shaikat Ali that the Government desired to interfere was based on the plea of retrenchment and said the approval of the Government was unnecessary to the appointment of the pro-vice-chancellor. Therefore the allegation of Mr Shaikat Ali that the Government desired to interfere was baseless. The clause was adopted without a division.

Sir G S Bappas moved that the Bill be passed. At this stage the clock struck 4 and the House proceeded to discuss Mr Nilkanta Das adjournment motion.

## INDIAN TROOPS FOR ABYSSINIA.

Mr Nilkanta Das moved a censure motion protesting against the Government sending troops to Abyssinia without consulting the House, or without consulting the public opinion. He also wanted to make it clear that Indian troops should not be used for war. India sympathised with Abyssinia. He had no objection in sending troops only for the protection of Indian nationals in Abyssinia.

References of Mr Nilkanta Das to Italy's attitude and to Mr Mussolini's description of coloured races were objected to by Mr Acharya, Foreign Secretary and Sir N N Sircar, Leader of the House. The latter quoted from President Patel's ruling in the course of a similar adjournment motion in respect of sending troops to China wherein it was laid down that no references would be made affecting foreign relations. Sir N N Sircar held that Mr Nilkanta Das was dangerously on the line and had not just overstepped it.

Mr Tottenham, Army Secretary, admitted that the Government were under the obligation to consult the legislature whenever it was possible if any question arose about sending troops from India for the purpose other than the defence of India. On this occasion the Government did not deviate from that undertaking. Of the 1,600 British subjects there were 1,000 Indians. There was a small legion guard of Indian soldiers. The press in India had been suggesting and members of the House through questions also suggested the protection of interest of Indians in Abyssinia and that immediate action was necessary. This was in August when the House was not in session. Hence it was not possible to consult the House. After all only 100 men were sent to reinforce the legion guard and that would not make any difference even if there was war. For sending only 100 men to reinforce the legion guard the cost of which would be borne by the British Government, the Government did not deserve censure. If it was censured the House would be calling ridicule on its own heads.

Maulana Shaikat Ali said that he personally approved of the Government action and would offer himself as a soldier in defence of the weak.

Sardar Mangal Singh joined the issue with Maulana Shaikat Ali and while wishing that the British Government would bear half the cost of British troops from India, he supported the action taken and hoped the motion would be withdrawn.

Mr Krishna Kant Malaviya said that if ever the Government acted rightly during the last 10 years, this was the occasion. (Hear, Hear) He, in fact, wanted the Government of India to tell his Majesty's Government to enter into war against Italy in defence of Abyssinia and not merely take interest in the question of some lake or road.

Mr Acharya objected to the reference of the foreign policy.

The President reminded Mr Malaviya that the rules of the standing orders were very wide and prohibited discussion on any aspect of the foreign policy. Mr Mala-

*viga* contended that the House had a right on behalf of India which was an original member of the League of Nations to say that they wished to go into war with Italy to prevent aggression against Abyssinia. He submitted to the ruling of the chair.

Mr Nilkanta Das withdrew the motion. The House then resumed the consideration of normal business. The *Aligarh University Bill* was passed.

#### CIVIL PROCEDURE CODE AMEND BILL

Sir Henry Craik moved for the reference of the select committee, the Bill amending section 51 of the Civil Procedure Code. The object of Sir Henry Craik's bill is to protect the honest debtors of all classes (not industrial workers only) from their detention in the civil prison and confine such detention to the debtors proved to be recalcitrant or fraudulent. Sir Henry Craik held that the circulation of the bill elicited opinions very considerable of which favoured the principle of the measure. He moved for a select committee of the bill. Mr Sri Prakasa and Mr Annaswamy Chetty gave a few suggestions for the committee and the debate then concluded and the House adjourned.

#### MANUFACTURE OF LOCOMOTIVES IN RY WORKSHOPS

**4th SEPTEMBER**—The Assembly Opposition won the first division of the session to-day by passing Mr Chetty's resolution on locomotives by 65 votes to 40. Mr Venkat achalam Chetty moved the following resolution: "That immediate steps be taken to equip the State Railway workshops with the necessary additional plant and machinery in order to ensure manufacture of all locomotive requirements within railway workshops. Mr Chetty traced the history of this demand since 1921 and pointed out that every time the Government of India promised to take action in the desired direction, but it was an unbroken record of broken pledges.

Sir A. H. Ghuman considered the resolution inopportune as the railways were already losing revenue and the need was not for adding expenditure to the huge expenditure running into crores. Why had not the Tatas started manufacturing locomotives? For they knew that they could not compete in the world market.

Mr Ashwari and Mr Giri supported the resolution pointing out that it was high time that Government gave effect to the pledges as India was ready to meet whatever expenditure would be necessary therefor. Then there could be no more monkeying with this question. Mr Giri urged long vision on the part of the present Government. Sardar Sant Singh and Pandit K. K. Malaviya wondered how long India had to depend for locomotives on foreign countries.

Sir James Grigg intervened and enunciated the general principle concerning limits within which the Government would be justified in promoting a new industry. The Government could take active steps to establish an industry if its existence was absolutely essential for the very existence of the country and secondly, when it could be seen from the start that the industry would before long become self-supporting. Whenever assistance was given by way of subsidy or protection it was immaterial, the only difference being that in the case of protection the cost was much higher and fell on wrong shoulders. Sir James Grigg considered Mr Giri's views as middle-headed because unless the industry could produce at competitive prices there was no chance of exporting from India.

Sir Chundhary Zafarullah Khan welcomed the debate and tracing the history recalled the Tariff Board's remark that on national ground it was essential to establish the industry (Opposition applause). He said that he joined in the applause but the Board had also stated that the condition precedent was the existence of sufficient market for locomotives. That condition was not to be fulfilled to-day even in a lesser degree. The result was that the Peninsular Works tried to manufacture wagons, but even this failed for want of steady orders.

#### BOMBING IN THE FRONTIER

The House commenced the adjournment motion of Dr Khan Sahib against the "bombing of innocent women and children in a trans-Frontier village by the R. A. F."

Dr Khan Sahib said that the bombing took place on a land near his village. He himself saw the R. A. F. planes going. The House would be surprised to learn that the first notice of this bombing operation to villagers was the bombing itself and the Peshawar Press published a notice only three days after the bombing incident. The tribesmen never disturbed the British area. Then why invade the tribal area and harass them? This provocation should cease.



Mr G R F Tottenham, Army Secretary explained the part played by the military authorities. The R A F did not bomb innocent women and children. They were at present engaged in bombing the area in which the lashkar of hostile tribesmen were staying. These tribes belonged to the area between the administrative border and the Durand line, which was the frontier of India and not beyond the frontier. These tribes had been committing wanton acts of offence and bombing was decided on. This operation set off the advantage of inaccessibility which the tribesmen always enjoyed. It also saved time and money and caused a smaller number of casualties both amongst the British troops and amongst the enemy. In the present case more than the usual 24 hours notice was given to tribesmen by dropping leaflets, so that women and children had ample time to vacate the Houses. The idea was to cause discomfort and economic pressure and induce the tribe to surrender without any loss of life. Thus this was a most humane form of warfare. The present operation was intended to make a blockade area so that it could be hoped that the tribe would pursue peaceful pursuits.

Major Ahmed Nawaz said that Dr Khan had not given any figures to show how many women and children were killed. The speaker's personal information was that they were not killed. Government at always tried to make peace failing that they indulged in the most humane method.

Mr Balabhai Desai said that the Assembly was not concerned with a particular expedition but the main issue was that they were no party to such barbaric method for which they claimed to be more civilised than other people who had better scientific and mechanical knowledge (applause). When Indians would be in power they would not adopt such a method whose real justification was in the upkeep of war to prove the need for the present high rate of army expenditure.

Dr Khan Sahib replying said that leaflets thrown from the air giving notice were useless as the people were illiterate.

The House divided and carried Dr Khan's motion by 67 votes to 44. The House then adjourned.

#### CRIMINAL LAW AMENDMENT BILL

5th SEPTEMBER — Sir Henry Craik moved to day for consideration of the Criminal Law Amendment Bill and began his speech by asking the House to take the Bill into consideration. There was perfect silence in the House. Mr M I Hassan said it was a point of order which fell through. Stressing the necessity of the present Bill the mover emphasised that it was mainly directed against terrorism, communism and communal unrest in the country and he could foresee no reasonable time when Government could relax their measures against this triple menace. For was contemplated to put the measure permanently on the statute book. He added besides the triple menace mentioned there was the danger of revival of the civil disobedience movement of which due notice must be taken. Sir Henry Craik added "It might be argued that Civil Disobedience is not now in force why then any legislation against that. Well the movement has only been suspended and not stopped."

Coming to the provisions of the present Bill he said the first operative important clause was that which repeals the sections limiting the duration of the 1932 Act to three years and instead makes the bill permanent. Again it may be questioned why the measure was being made permanent. When the 1932 Bill was introduced it was designed to be permanent. But an amendment limiting its life to three years was accepted by Government. It had been found that temporary legislation did not induce the promoters of dangerous and subversive movements to change their ways. It gave them encouragement that they can pursue their activities when favourable atmosphere came due to the relaxation of law.

So far the menace of terrorism was concerned Sir Henry proceeded, the movement had now been for about 30 years. "I admit that there has been some improvement in Bengal now due partly to the sterner measure in force and due partly to the revulsion among the public against it. But it is impossible, having regard to the dangers of the terrorist movement, to relax the measures. During the last few months there has been some murders. Terrorist conspiracies are still in being. In Northern India there has been a distinct revival of the movement."

"As regards communal unrest, I can recall no time when the problem has been more acute. There has been no time when officials and public have been more apprehensive of its serious effects."

"The danger of the Communist Movement is not perhaps fully appreciated by the general public. I can assure the House that it is the movement which is becoming

steadily and increasingly active and there is a serious threat not merely to Government but to the whole organisation of the society as at present constituted. Let me emphasise that the Bill as a whole is intended to safeguard against all revolutionary subversive movements in general and in particular against three public serious menaces.

Sir Henry Craik next enumerated the incidents in the Punjab, Bengal and Burma when picketing had been resorted to in the case of strikes in schools and colleges as also in Nagpur and Bombay strikes which, he said, had been engineered by the Communists. He told the tale of a picketing case before a cinema house in Amritsar where an unfounded rumour got currency that the film shown affected the religious susceptibilities of the Mussalmans.

Continuing Sir Henry admitted that the provisions relating to the Press must be of a controversial nature. His main ground for the retention of the powers of control over the Press was insufficiency in the common law of the land to deal with inflammatory writings. He cited Gandhi to show that prior to 1931 writings appeared in the Press in support of the terrorists and in praise of terrorism and incitements to bitter communal hatred. The Home Member referred to the Calcutta riots of 1928 and the Punjab riot in April 1927. Attacks on religious leaders were fanned by articles in the Press. Sir Henry Craik said that in March, 1931 the position deteriorated considerably in Bengal especially after the Chittagong armoury raid when poems extolling terrorism and articles giving the history of revolutionaries were published. Press condemnation of terrorism was coupled with extravagant praise. Promulgation of the Press Ordinance slightly improved the situation. Sir Henry said whenever the control over the Press was relaxed the position deteriorated dangerously. Institution of dummy editors made action under the ordinary law useless. However he opined, a responsible press had nothing to fear.

Concluding Sir Henry Craik said that their purpose was two fold firstly, to hand over the administration of the new Government which was coming shortly in existence with powers to combat the subversive movements and, secondly to protect the voiceless millions of this country who were uninterested in political agitation and who wanted to live and pursue their avocations in peace. The object of the legislation was not repression of nationalism.

Mr Satyamurthi initiating opposition to Sir Henry Craik's motion said that the opposition to the Home Member's motion on the part of the Congress Party was born of an equally serious sense of responsibility. He said "We are convinced that we can govern this country in her best interests without this law. Quoting Mr Morley's letter to Lord Minto, Mr Satyamurthi maintained that even to day after over a generation there was the same phenomenon of pure blindness to all signs of the times. Dealing with Sir Henry Craik's remarks about communalism, Mr Satyamurthi asked if this Government had done all they could to promote communal peace. He asked "Have they not pitted one community against another? If the communal situation was worse the responsibility lay at the door of the Government more than anybody else's (Applause from Nationalist benches.) Mr Satyamurthi twitted the Home Member for his overflowing sympathy for the new Government. He asked "If future Governments in the provinces were to be responsible and autonomous and if it meant any little responsibility, why not allow them to administer the provinces on their own responsibility instead of a gift of this kind? The real purpose was that they wanted to stifle public opinion in the press and in the platform. Otherwise there was no other object of the Bill. He asked "Apart from the local Governments, which public body or association or group had asked for legislation? Why do you want to enact it in the teeth of all oppositions? Quoting Sir Abdur Rahim's speech in 1932 Mr Satyamurthi said, "We oppose the measure since we cannot flout public opinion."

In conclusion Mr Satyamurthi said "The bill is intended to enthrone autocracy, stifle swadeshi and peaceful picketing and prevent associations which Government dislikes. It follows that the Government does not believe in their own reforms and they do not believe in their own courts of justice. If in spite of the warning of this house, in spite of the experience of other countries, in spite of the unanimous public opinion the Government proceeds on with this measure, they will be driving another nail in their coffin. The house then adjourned."

**6th SEPTEMBER** —Initiating the debate on the Criminal Law Amendment Bill to-day Mr E. L. Ganga observed "The Bill in the form in which it has been presented is an insult to the intelligence of the House, is an insult to the country (applause). In order to justify the necessity of the present measure Government must make out a

clear and convincing case for them for this is no emergent legislation but a permanent enactment. Unless they can render a satisfactory account of that we are not prepared to give them any more extension of the same. They talk too much of the terrorist menace. They detained a man like Mr Sarat Chandra Bose who was elected to this House and prevented him from attending the Assembly on the plea that he was involved in terrorist activities. But what evidence what proof of that allegation was placed before this House? Well if that can be possible in case of a man like Mr Sarat Bose, it can well be imagined how an ordinary man is treated by Government under the special laws."

*Pandit Krishna Kanta Malaviya* characterised the Bill as an outrageously indefensible measure which he opposed. He said that truth was on his side, justice was on his side. His was the cause to defend the God given gift of free expression which the Bill wanted to stifle. Continuing, the Pandit enumerated the woes of the working journalists and quoted extensively from the speech of Mr Mrinal Kanti Bose Chairman of the Reception Committee All-India Journalists Conference held recently in Calcutta, detailing the rigours of the Press Act and especially press censorship worked in Bengal gave the lie direct to the statement made in the House that the Indian press was enjoying considerable freedom. Regarding communism he said that it did not lie in their mouth to blame them for this evil after the history of separate electorates and the Communal Award.

Dr *Deshmukh* asserted that the Bill violated every principle of law. It was a misnomer to call it law. It violates the elementary principles of jurisprudence in as much as it takes a man to be guilty before he is proved so. It takes away the right of appeal. Referring to communism Dr *Deshmukh* said he wondered why people got panicky at the mere mention of communism. It is nothing but a struggle between "haves and have nots". The only remedy of this is to promote indigenous industry. Here we have the commerce members who say that vital industries cannot be started because it is economic to purchase things from foreign countries. Here we have the finance members who maintain balance of trade by export of gold. If that was in England with the export of gold the Finance Member would also be exported (laughter). Here we have an executive who want peace and tranquility as an end in itself and a means to an end. We don't want peace of death, we want repose of life.

Dr *Deshmukh* had not concluded when the House adjourned till the 9th.

**9th SEPTEMBER**—When the consideration of the Criminal Law Amendment Bill was resumed to day Dr *Deshmukh* continuing his speech denied that the Press was responsible for encouraging communalism. He considered the European community as the worst offenders in this respect and referred to the preponderant representation accorded to Europeans in legislatures and services. He said that Bombay saw riots in 1928 and 1942. But in 1928 when there was no Press Act the riot was much less severe and entailed lesser life and property and business. He characterised the measure as double faced in that while showing to protect the people against communalism and terrorism, it really wanted to muzzle the Press—the Press which was a great means for educating and ameliorating the people. Dr *Deshmukh* appealed to the Indian members of the House to reject the measure, which was a serious encroachment upon the liberty of the Press.

Mr *R S Sarma* supported the motion and said that it was necessary to stop publication of articles and speeches glorifying the murderous activities of terrorists as Pandit *Krishnakant Malaviya* did in his speech. He referred to the heading of a Calcutta paper over the execution of Dinesh Gupta, which ran "Dauntless Dinesh Dies at Dawn", such headings were mischievous. Mr *Sarma* claiming over a decade's experience as a working journalist, expressed the opinion that the provisions relating to the Press were purely preventive and the journalist who did not overstep law or who did not sympathise with terrorists or glorify the deeds of murder need be afraid of the Bill. Pandit *Krishnakant Malaviya's* speech really glorified the deeds of murder (cries of 'no no') and the motives of the murderers (Hear, hear). The Home Member should welcome such frank speeches as Pandit *Krishnakant Malaviya's*. The Bill intended to check speeches or writings of that description. The difficulty was that the Indians accepted the editorials of the Indian Press as gospel truth and mischief was wrought also through headlines. The terrorists were not born but made by the columns of a section of the Indian Press (Opposition murmurs). Papers like "The Hindu" and "Amrit Bazar Patrika" need not be afraid of the restrictions proposed under the Bill. "The Hindu" which had got the blessings of Congress propaganda had been raised to the dignity of a friendly paper by the Home Member. This was because

that journal had discountenanced terrorism. Mr Sarma also thought that the Indian extremist papers liked a measure like this (Cries of "No.")

*Sardar Sant Singh* said that Government would have to pay the full price one day for ignoring the lesson of history, namely, that public discontent should not be allowed to increase. There was great discontent against this legislation the objects of which were only to substitute the executive judgment and kill all political activity.

*Bardar Jogendra Singh* opposing the Bill said that the best way for killing terrorism was to formulate schemes whereby employment would be given to discontented young men. He honestly believed that the Bill was designed to deprive the elementary rights of citizens.

*Mr S Asaf Ali* said that during the decade from 1921 to 1931, 67,800 murders were reported of which only 17,000 convictions were secured. In 1932 only one-third of the people who broke into houses and committed similar offences were convicted. Two million cases were left untraced. All this showed that the police instead of doing their proper duty to trace crime were concentrating on political crimes tracking down innocent men. In the face of this appalling lack of securing convictions, had the Government come to the Assembly to ask it to pass fresh laws? Had the Government forgotten the view of the Supra Committee on the Press laws?

**10th SEPTEMBER**—*Mr A Das* said that if the Government had published the report of the official enquiry into the Dacca incidents exposing Bengal Police Bengal officials would then have known the kind of acts done under these special laws. The speaker said that past Home Members had taken the entire press into confidence and not the "friendly press" alone. The new system of flirting with one section of the press would do no good. Mr Das regretted that Sir Henry Craik had gone back on the pledges of two of his predecessors and stretched the Bill to communal dissension. Sir Henry Craik was public enemy Number Three. Mr Das asked whether the Government would create a public enemy No 4 next year for contempt of Court. He referred to the annoyance caused by the cases against the editors of the "Leader" and the "Amrita Bazar Patrika" and, concluding, said no Government could thrive under perpetual safeguards and emergency laws.

*Dr Datta* congratulated the Home Member for bringing forward the Bill in the interests of public security and tranquillity and peaceful development of the country (A voice "Oh"). He said that no right minded Indian would desire a return to the dreadful conditions of the 1930 civil disobedience movement. The consistent policy of the Government had been to maintain the Indian Press as free from control as possible but circumstances had compelled them to impose executive control as the Vernacular Press encouraged a spirit of lawlessness and stimulated the lower passions of the readers. Such legislation was absolutely necessary in order to resist the forces which created a chaos.

*Mr Akhil Chandra Datta*, Deputy President objected to drastic legislation being made permanent in anticipation of certain events and held that terrorism was due to hunger for bread and hunger for freedom. "Let the Government give the freedom and we will provide the food." Mr Datta referred at length to the contributory political and economic causes and said that terrorism was the inevitable result of those causes. Mr Datta continuing quoted several instances to show that the Government's attitude towards communal riots was far from stopping them. The situation at present was "There was no rioting, no no tax campaign, no picketing, no social boycott and threats of breaking law and order. It is therefore very difficult to understand why this legislation is being maintained."

*Mr Basul Hag* said that he had read the Home Member's speech dispassionately and his considered opinion was that the Bill was entirely unnecessary. Even if there was irresponsible writings in the press, these writings in themselves could not promote terrorism, communism or anarchism. The ground must already be there for such writings to promote them, and this ground had been prepared by consistent mal-administration (cheers). His advice to the Government was to go to the root cause. He was giving this advice as the best supporter of the Government. So far as communism was concerned, the Press Act could not check it. Communism would disappear only when the leaders and their followers practised toleration.

*The Maharaj Kumar of Vizianagram* asked whether any one could deny that the Act of 1931 had really contributed towards the present peaceful situation. He quoted recent comments from nationalist newspapers showing how the Press had expressed itself freely. He wished the Congress would take part in the administration of the country and that the future conduct of the people and the press would make the

use of the present law unnecessary. He, however, felt strongly the need of the law and supported the Home Member's motion.

**Pandit Govind Ballabh Pant** characterised the Bill as an outrage on all the cherished institutions of the modern age and civilization. He recalled how exactly, one hundred years ago, Sir Charles Metcalfe, in withdrawing the restrictions against the press, asked the critics to show how the advance of knowledge was a curse and not a blessing. The speaker said that the entire history of the Press laws showed that whenever in force they had greatly hindered the development of knowledge. Thus when the Press Act of 1910 was in force, printing presses increased by sixty a year, whereas, when it was repealed, they doubled in number. Similarly newspapers and journals which increased during the Press Act period by less than 200 increased by 1,500 when the press was free. The number of books which had actually decreased during the operation of the Press Act increased by 50 per cent, when the Act was repealed. Could any one, he asked, face these statistics and deny that restraint of the press was a grave menace to the inculcation of knowledge in this country. Continuing he challenged the Home Member to show that Sir Harry Hogg had any other object in bringing forward the Bill except to deal with civil disobedience. The Bill showed nothing except the morbid tendency of the executive to retain autocratic powers and all the reasons given were the fictions of a fertile imagination. He remarked that he had never heard more fantastic and ridiculous argument in his life than the Act was meant to prepare the country for responsible government. Did the Home Member realize that the responsible ministry of the future might use the law to perpetuate its existence till eternity (applause). Did Mr James realize that it empowered the speaker as minister to declare the European Association unlawful without assigning any reasons and that the Act was unappealable (cheers). Pandit Pant concluded "But this argument that you trust the future ministers is hypocritical. The ministers will have no power over the services and yet you want us to trust these mysterious ministers with the most cherished rights of the people."

**11th SEPTEMBER.**—**Pandit Govind Ballabh Pant** continuing his speech to-day, said that the Government had issued a pamphlet containing seditious and subversive writings in the press in order to justify the legislation. The Government were able to compile only 30 pages from newspapers, periodicals, books, pamphlets and posters issued in all the provinces and over ten years, namely from 1921 to 1931 when there was no Press Act. No writings except those from distorted posters could be found promoting communism. Was it at all fair to pass such drastic legislation on this meagre material? If the material in this pamphlet were placed before a judicial tribunal half of it would be declared perfectly innocent and the writer of the remainders could be dealt under section 10.

**The Home Member:** We can't get them.

**Mr Pant:** If you can't trace the culprits then you get out (cheers).

**Mr Pant** read extracts from writings in the British Press on communism and said that nothing so vitriolic and poisonous was ever written in India. Yet was the British Press brought under restriction. Continuing Mr Pant mentioned the fact that the security of only 17 papers had been forfeited out of 4,600. This showed that the percentage of breach of the law was normal, and not higher than offences committed by people in other professions, including incidence in connection with the lack of discipline by the military near Jabalpur. If the Govt. were logical then they should appoint a committee, consisting of three Indian Members of the Government and demand a security for good behaviour from such I.C.S. officers who were found to have committed a dereliction of duty and be unfaithful to the interests of the country.

But, while only 17 presses had proved to be offenders, 500 have been prevented from coming into existence, proving that the greatest mischief of the repressive laws was that they fell more heavily on the innocent than on the guilty. Finally, he asked if the House could trust the Executive with such extraordinary powers when the Bombay Congress film had been banned, and even a Viceroy, who was Lord Chief Justice, had agreed to Sir Henry Gidney's request that Anglo-Indian criminals should be whipped not by Indians, but by Anglo-Indians.

**Chaudhury Zaffrudin Khan** made a long speech lasting for 10 minutes in support of the Bill in course of which he examined the clauses at great length. Sections 2, 3, 4, 6 and 8 of the 1932 Act which were mainly directed against civil disobedience were sought to be repealed and civil disobedience was in suspense. That amply proved that the Government were not anxious to get more and more powers and once

powers got, to hold on that. Picketing, he observed, interfered with the elementary right of free dealing. The present Bill sought to continue those provisions which were considered necessary to guard the "repose of life," of all concerned.

Mr F E James was constantly heckled when in his speech he charged Pandit Krishnakant Malaviya with applauding terrorism and the Congress being mixed up inseparably with terrorism at least in Bengal. Ordinary law of the land being insufficient to cope with terrorism what other solution except the present measure was left, he asked. (Mr Satyamurthi replied "Swaraaj").

Mr Abdul Malin Chaudhury differed from the Home Member in the latter's appreciation of the communal situation. He said, the communal situation very much improved after the storm raised over the Government of India Act had blown away. At Delhi we were within an ace of settlement of the question owing to Jinnah-Rajendra Prasad talks. Though the political situation improved, the only commotion we find is in the Home Department of the Government of India. The House then adjourned.

**12th SEPTEMBER** —Mr N M Joshi (nominated, Labour) put a plea to day on behalf of human freedom and protested against the legislation on behalf of the working classes. He asked if there was any member in the House including the Home Member, who would swear that he would not resort to civil disobedience any time, however unjust the legislation might be. Picketing meant peaceful persuasion and Mr Joshi declared that the working classes could not give up the right of picketing to maintain their standard of living. He blamed Government for siding with employers by prohibiting strikes. He twitted Mr Griffiths for his remarks and said that such people who had a contempt for common people of this country could not have his respect. Mr Joshi cited an instance from the Madras strike when he and Mr V V Giri arranged to address the workers to ask them to go to work but they were prohibited on the ground that our speeches would lead to bloodshed. Continuing Mr Joshi asked, why was Communism alone banned and not Fascism and Nazism. As regards communalism, so long as there was religious fanaticism, communal hatred would remain. The greatest supporters of religious hatred were the Government themselves. Mr James had said that the British possessed a sense of humour which made it impossible for Communism to take root in England but said the speaker, gave India the 'Self government which Britain enjoys and India will also develop a sense of humour'. Britons were famous for their love of freedom. He hoped that the same spirit would be exhibited by the British members of the House by throwing out the Bill. He expressed his views against giving preventive powers to magistrates who abused them. Referring to Sir Zafarullahs and Mr James's remarks regarding the Britishers that they have a sense of humour, Mr Joshi asked if Indians living under the conditions that they are, can develop any sense of humour. Concluding Mr Joshi asked the House to reject the Bill.

Maulana Shaukat Ali made a forceful speech asking the Government to withdraw the Bill as the repressive laws which were tried in the past failed to improve the situation in the country. He thought that the Bill and the speech of the Home Member would help in spreading revolution in the country. The speech of the Home Member might be read with glee by the diehards in England but they would really incite the youths here. He said that already Jallianwala Bagh and Amritsar had affected the relations of India with Britain. Why add one more in the form of a parting gift from the Willingdon Administration when Lord Willingdon should leave India amidst praise? Magistrates who came and spoke in the Assembly hardly realised what the law meant to ordinary citizens. Maulana Shaukat Ali caused laughter by suggesting that every ICS officer should be put into prison some time before joining the service. Regarding the newspapers he quoted the views of the Chief Justice in the "Comrade" case and also stated that recently after the Karachi firing, a Khulafat news paper, without being given a warning was asked to furnish a security of Rs 3,000.

Mr M S Aney delivered an illuminating speech saying that unless the root cause of terrorism or communism was removed these evils would persist in spite of the drastic laws proposed. The threat of repression would not deter terrorists. Their psychology was different. They were made of more terrorist stuff than the Government took them to be. If Government felt that for the better working of the new Constitution Act such laws were necessary it was better that the Constitution Act should not be brought into operation.

Sir N N Sarkar, Law Member, then made a historical retrospect and gave an account of what happened whenever the press legislation was repealed. The following is the full text of his speech —

Sir, in taking part in the discussion of the motion before the House, I would like, before advancing any arguments or raising any contentions, to place before the house facts which will enable it to realise, what was the effect of repealing press legislation, on the three occasions when it was done.

The Act of 1878 which gave powers of forfeiture of Press and under which there was no semblance of any recourse to court of law for challenging executive action was repealed. Many years after the withdrawal of this legislation to cope with a situation which was arising it was considered sufficient to tinker with the Indian Penal Code. This was done and in 1898 the Code was amended by adding secs 124-A and 153-A relating to Sedition and exciting class hatred.

The terrorist movement gathered strength under partition agitation. In fact, in Bengal the history of terrorism before partition agitation is negligible, if not non-existent. Coming to the year 1906 and the succeeding years we had a number of news papers were springing up with the object of advocating cause of terrorism.

These mushroom growths would have disappeared in no time had there been any Press legislation by which incitement to murder and violence in the Press could have been prevented. The Bengal M. L. As and in fact any one with knowledge of Bengal, can hardly forget papers like the "Yugantar" "The Sandhya" "The Kalyan" "The Sarathi" and others. In those days the creed of non violence and the camouflage under profession of non-violence were unknown.

These papers only advocated the bomb and revolver.

What was the effect of these writings let me refer to what transpired in judicial tribunals.

There were numerous instances in court in which terrorists proudly stated that they had received their inspiration from these papers. Let me give two instances.

The court found that the accused employed newspapers in furtherance of the object of the conspiracy viz assassination on a large scale. It found that—(I am quoting the words)—the "Yugantar" was a hub of the conspiracy and that even young boys in remote parts of the country were corrupted by this newspaper.

"Mukti Kon Pathe"—consisted of reproductions of articles originally published in the Yugantar. These articles in the "Yugantar" point out that the revolution has to be prepared in two stages—(1) by formation of public opinion and (2) by brute force and co-ordination of arms. "Mukti Kon Pathe" recommends publication of newspapers, and acknowledges the great service done to revolutionaries by newspapers.

These newspapers were the most useful and potent allies in the cause of terrorism. They were, by reason of the wide appeal made by them day after day, the most powerful instrument in the hands of terrorists.

Ordinary law was found wholly inadequate to cope with the situation.

Printer or publisher of "Yugantar" was convicted five times between June 1907 and June 1908. Each time a new man was found. Had any Press Act existed and security been demanded, critics would not have been lacking to complain of ruthless repression of nationalism by a conscienceless bureaucracy, and of attempts to stifle liberty of the Press.

The effect of the writings in these papers was as far reaching as it was disastrous. How many such papers came into existence it may be asked. Whether the number was 10 or 20 or 30, I would remind the house of the admirable propositions laid down by Dr Deshmukh, with which I entirely agree. He told us that statistics are apt to be misleading if considered in too dry and scientific manner. One must remember the human elements—and that when emotion rules, logic disappears. These papers by continued appeals to emotion, by exhorting the use of the bomb and the revolver as the highest act of patriotism, and by painting murder as the sole panacea for effecting advance of the nation, successfully divorced logic and removed abhorrence of murder from the hearts of thousands of men in Bengal. The predominant part played by these papers in the cause of murder and terrorism has been found not only in the two judgments I have already referred to, but on numerous other occasions, as may be found from records of courts in cases like the Dacca Conspiracy Case.

Orgs of murder and of conspiracy for the use of the bomb and the revolver started with the murder of Mrs and Miss Kennedy in 1908.

The situation had become so frightful and prosecutions of newspapers under the ordinary law had so hopelessly failed that Government was compelled to enact the Newspapers (Incitement to Offence) Act of 1908. The provisions of this Act were so inadequate, that the progressive deterioration of the situation could not be stopped and in support of this statement, I may read an extract from the report of the Rowlett Committee. It says

"Though the Yugantar disappeared other newspapers sprang up, and we are convinced, that these publications produced ever a new succession of instruments of murder and outrage, and to this source altogether independent of other causes, is largely due the continuation and extension of conspiracy

It was then that the Act of 1910 with more comprehensive powers was passed

(1) Government had repealed Press Laws in the hope that executive control of the Press, or the powers of forfeiture of presses etc would be found unnecessary

(2) The immediate result was the springing up of numerous newspapers which were directly responsible for the spread of terrorism—for conveying the cult of murder and terrorism to thousands and thousands which but for these papers would have been confined to a small body of terrorists who compelled by the nature of their activities to act in secret, would have found the dissemination of their ideas to a wide public extremely difficult if not impossible

(3) Government tried through all this time, a period of four or five years to do without Press Legislation and relied on prosecutions under the ordinary law for bringing the situation under control

(4) After waiting for four or five years when Press Legislation became inevitable Government did not at once enact drastic legislation, but considered that the Act of 1908 would be sufficient

(5) It waited another couple of years before it introduced the more comprehensive Legislation in 1910.

Authorities were cited in connection with the Act of 1910 by Mr Satiarmathy including a decision of Sir Lawrence Jenkins for demonstrating what injury is apparent from the provisions of the Act itself that the High Court had not full control over executive action. What Sir Lawrence Jenkins thought of the duty of the executive will appear from the same judgment—

"Courts of law can only move on defined lines and act on information brought before them under limited conditions. It is not so with the executive authority. It would be paralysed if it had to observe the restrictions placed on the courts. Its action can be promoted by information derived from sources not open to the courts and based on considerations forbidden to them. It is moved by impressions and personal experience to which no expression can be given in a Court but which may be very potent incentive to executive action. Government may be in possession of information which it would be impossible to disclose in a Court of Law and yet obviously requiring immediate action. Therefore a jurisdiction to pronounce on the wisdom of the executive action has been withheld. It may be a question whether even the semblance which this Act provides should not have been withheld as it was by Act IX of 1878. Political conditions and reasons of State are the life blood of executive action but they have no place in a Court of Law

"His Lordship made it perfectly clear that if Government was in possession of such information as required action in the interest of the State but information of such a nature that it could not be disclosed in Court of Law—the Executive would be justified and indeed it would be their duty to get itself armed with legislation which would deprive the High Court of the limited power of interference given to it by the Act of 1910

As the result of the report of the Press Laws Committee the Act of 1910 was no special legislation relating to Press—and as such legislation was taken up only in 1930, we may take the period of seven years 1922-29, as the second interregnum. Under influence of the Civil Disobedience movement, a very large section of the Press threw its entire weight against maintenance of Law and Order. Civil Disobedience mobs have been known contrary to the wishes of its originators to give up the path of non-violence, but even where they kept non violent the spirit of breaking laws, of contempt for the constituted authorities, the chaos created by law breaking being elevated to the highest pedestal of patriotism, succeeded in producing a violent mentality and in creating an atmosphere of unrest and defiance of law, which predisposed unbalanced youth to fall a ready victim to the recruiting agents of terrorists

As soon as the Act of 1910 was repealed the subversive elements including terrorists began rapidly organising themselves—and of course it was to be expected that their first attention would be their most potentially—viz, the Press

At the Chittagong Congress which met shortly after the repeal of the Act, they decided to resume violence and to use the Press.

Within a short time the "Yugantar," "The Atmasakti," "The Sarathi," "The Santha," "The Byali" and other papers sprang into existence and notoriety. Not only were their



methods the same but in many cases, the individuals in control of them were the same.

I will give no reference on this occasion—the orgy of fulsome flattery of murders, of canonising assassins, of the advocacy of violence as a political weapon. Indeed I have, as part of my brief got two printed volumes of extracts from such writings.

I would like however to place before the House, some samples of writings on communal questions. In 1926 there was some communal trouble at Pabna.

The "Ananda Bazar Patrika," a Bengali paper with large circulation in an article published in July asserted that "The Hindu public think that there is truth in the rumour circulated by Maulavis, that Government have permitted the Moslems to loot Hindu houses for a week. Moslems in bodies are going in villages helping their co-religionists."

In another article the same paper, after referring to the fiendish conduct of and the terrible oppression committed on Hindus by Muslims excites the Hindus, by ridiculing them for lack of the spirit of retaliation, because fear of death is strong in them.

A sample of the truth and the exaggeration which was indulged in for exciting Hindus against Muslims is given by the following quotation from another article—

"Many villages in Pabna have to day been converted to a cremation ground. People are fleeing from villages through fear. Their wealth and property have been looted and the images of their gods broken. The barbarians in broad day light, without fear freely looted villages, and the Hindus with their mothers and sisters took shelter in jungles along with tigers and bears. The ruffians with satanic exultation forced the Hindus to read the Kama and tried to convert them to Islam. Are these persons Moslems or demons?"

"The Vishwamitra" writing on Pabna stated—

"Government have been unable to suppress the goondas although numberless Hindu women have been dishonoured. One curious fact is that in spite of all this bloodshed in Pabna, Haji Ghaznavi and Sir Abdur Rahim have not thought fit to raise their fingers in protest."

The "Baku" in a long venomous article under the caption "the age of Nadir Shah" wrote—

"From the barbarous oppression and persecution that have been committed in Pabna, the question arises whether Muslim religion means fiendishness."

The "Hindus" of Calcutta writes on the situation—

"The Moslem plunderers come and loot houses. Hindu women hide themselves in jungles like dogs and jackals, so that their honour is in danger. The Moslems who are sons of perdition are wandering about in Pabna like mad beasts eager to destroy the property and honour of Hindus."

In connection with a very insignificant trouble in Kushtea, The "Jagran" writes—

"We have heard that Moslems preach to illiterate Moslems that the scriptures say that it is sinful to remain a widow. For this reason one acquires profound virtue, according to Islam by outraging by fraud force or artifice the honour of Hindus particularly Hindu widows."

A typical example of the insinuation to use the glib expression against third party, is shown from a highly mischievous article in the "Forward" which concludes by stating—

"Possibly Sir Hugh Stephenson is not yet fully assured if the present communal tension is sufficient for Sir Abdur Rahim's scheme of forming a Moslem bloc, the want of which was keenly felt when dyarchy was killed in Bengal by Deshbandhu Das."

The "Servant" in an article of several columns based on the Kushtea incident writes—

"The cumulative effect of the campaign of Hindu hatred the desecration of temples and images, of filicide of houses, abduction of girls has been that the Hindus living in villages have become panic-stricken. Their women do not dare go out of the houses for fear of dishonour and the men themselves live in constant fear of their Mahomedan neighbours."

Coming to another district Hooghly, "The Pathvani" writing under the caption "Orgy of Crime" stated—

"The news of repeated breaking of temples, and images is making the blood grow warm in the veins of moribund Hindus. Not content with breaking temples and obstructing marriage processions, the miscreants are making cow-korbanas. What Hindu is there, whose heart is not filled with hatred towards beastly Moslems. Lustful Moslems in batches are committing oppression on Hindu women."

The situation during the Second Interregnum may be summarised as follows —

(1) A section of the Press was flooding the country with innumerable articles urging the public to break laws

(2) The intensity of the campaign of glorification of murders

(3) Fanning the fire of communal bitterness

I presume if Press Law had not been repealed, and Government had demanded security from some of these papers, it would have been charged with repression of freedom of the Press, and of crushing the spirit of nationalism

The Press Legislation of 1930 came to be repealed in 1931. There was no Press Legislation during the period March-October 1931

Let us turn to the events of this period

(1) Immediate appearance of articles, poems and stories in glorification of murders, and of incitement to violence through editorials, poems and stories being a special feature of Bombay

(2) Unrestrained praise of persons like Bhagat Singh, Dinesh Gupta, Kanailal Dutt etc. was the daily feature of innumerable papers in most of the provinces.

(3) The incitement to break all laws because they are laws of a foreign Government

(4) The articles like "Bravo Chittagong, Martyrdom of Dinesh Gupta" published daily and in the most prominent fashion could reasonably be expected to lead to the inevitable consequences of such writings, and this interval is crowded with terrorist outrages—as may be gathered from the following cold narration of facts —

(1) Five cases of bomb throwing on police stations. The cases were tried in court, and ended in conviction

(2) April 1931—Mr. Peddie murdered. The tone of a section of the Press was extremely unsatisfactory in a marked contrast to the tone of the Press in connection with the murder of Mr. Burge—this section of the Press having attained morality as the result of the Press legislation which was in force at the time of this murder

(3) Murder of Mr. Garlick.

(4) Attempt on Cassels.

(5) Murder of Ashanulla.

(6) Attempt on Duro.

(7) Attempt on Villiers, ending in his wounding

During the third Interregnum, thanks to the spirit of lawlessness created by the Civil Disobedience movement, very intensive result was obtained during this period of seven months. I have given the house the result of there being no law relating to the Press. On the first occasion Government, which is always charged with being panicky, and greedy for power, waited patiently for four or five years before having made any legislation, and for seven years before enacting the comprehensive Act of 1910.

On the second occasion, it waited for seven years. The third occasion fully justified the fear that the due risk was being taken in repealing Press Law in 1931 and subsequent events completely falsified the hopes expressed by the Press Laws Committee. What can one reasonably expect if the experiment is tried for the fourth time by refusing to continue the existing legislation?

(1) Terrorism is now negligible. This is opposed to facts. In 1934 while Mr. Dutt pointed out that number of outrages has been less, he is probably unaware of the fact that in 1934, in 49 cases, bombs and revolvers were discovered, and in at least four cases arms had been stolen and not traced. In some instances country-made revolvers were seized, showing that attempt is being made to stealthily manufacture revolvers.

In 1935 there has been murders and continued recovery of arms.

(2) The second argument is that Civil Disobedience has been suspended. It is admitted by Government that manifestations of subversive activities, of breaking of laws, and of plotting have been suspended. But the leaders of this movement have kept on reminding the Government that it is under a delusion if it thinks that it is not coming again.

Dr. Khare in his speech in this House said (I am quoting his exact words) —

"For immediate effects I am not ashamed to admit that Civil Disobedience movement has failed. That does not mean our mentality has changed."

Dr. Sitaramya stated this year —

"Congress could not be expected to dilute its non-co-operation ideal." We have it from Babu Rajendra Prasad that 'C. D. has only been suspended and not given up.'

We have been assured on the floor of this House that C. D. movement is a kind of birth right, it cannot be given up and will always remain. As if, Sir, because murder will always remain, therefore punishment for murder should be repealed.

As I have shown, it has been asserted that the mentality has not changed, the ideal cannot be diluted, and the C. D. army vanquished in the first battle, is waiting for opportunity to attack again, and what can be more unwelcome than the idea that laws will continue to check their subversive movements, the avowed object of which is to paralyse and destroy the Government.

As regards birth right, orthodox Hindu may regard it as his birth right, to prevent the high way and the fanatic may sincerely believe in his right to assassinate non-believers. However sincere this belief may be, however great may be the delusion under which the victim is labouring if his overt acts are opposed to the law of the land, they must be prevented, and if past that stage, punished. I have no quarrel with Dr. Deshmakh in so far as C. D. is an idea. No one can object to another person any idea which pleases him. It is open to him to believe in C. D. movement or in communism. He may believe that nationalisation of women is extremely desirable. Peace be to him and his ideas—but if those ideas are enforced by unlawful means like 3 to 4 thousand Congress volunteers dragging out and killing police officers as they did at Chetna Hat, then one of the two courses are open to Government. It must either abdicate completely, or check the breakers of law.

Indeed, Sir, nowhere has it been better put than in the speech of my friend Mr. Satyurmurthi when he was addressing the students in Bengal—

"Satyagraha and non-payment of taxes and disobedience of laws are all very well, when we are fighting foreign bureaucracy. But I dread to think of the future Swaraj Government, if it has continually to fight among its own citizens, satyagraha, passive resisters and law-breakers. There is a dangerous doctrine to-day that satyagraha is a more potent weapon than the ballot box. It may be or it may not be, but no civilised Government can exist, if every citizen thereof claims the right to decide for himself whether a tax should be paid or not, or whether a law should be obeyed or not."

The strongest arguments in support of this Bill, are what has become perfectly clear during the debate on this Bill. It has been asserted that Civil Disobedience has come to stay permanently, and there is no desire to withdraw this weapon and (2) Eulogy of murder has stopped in the Press, on account of Press Legislation—but there being no such restraint on the floor of the House, sympathy for murderers has been boldly proclaimed, and received with applause by a section of the House.

Mr. Malaviya talking of Mr. Azad—admitted he had never met him. He admitted Mr. Azad was a terrorist—otherwise his statement that some people were trying to make Azad give up terrorism is meaningless. Mr. Malaviya stated Azad was a great organiser. Organiser of what? If not of Terrorism, as he was being persuaded to give up terrorism. Mr. Malaviya has not told us if Azad had any activities apart from terrorism—and in fact he had none.

Mr. Azad was organiser of the terrorists who in 1924 and 1925 committed a series of ruthless dacoities, with murder which culminated in the notorious train dacoity at Kakori near Lucknow, in which a van was looted and an innocent passenger shot to death. His complicity in the crimes was proved beyond doubt—but he would not face trial to challenge the mass of evidence produced against him. He became a proclaimed abetting offender with a reward of Rs. 5000 for his arrest.

While abetting in the Kakori Conspiracy case he joined Bhagat Singh and others. There was strong evidence to prove that he covered Bhagat Singh and Rajguru when they murdered Mr. Saunders on 17th December 1928. He shot constable Chanan Singh dead when pursued. He thus became an accused in the Lahore Conspiracy case of 1930, in which he was again a proclaimed and abetting offender with a further reward of Rs. 5000 on his arrest.

Mr. Azad—the admittedly successful organiser of terrorism—then joined the group of the accused in the Delhi conspiracy case. They not only committed dacoity on the Gadodia Stores, and were manufacturing explosives in a house, which when searched yielded explosives sufficient for preparation of 6000 bombs.

Referring to Azad Mr. Malaviya stated—"He was a great organiser, a gentleman to the core of his bones. Not one shot of Azad's missed the mark. 'Who can help aiming this young man? I say, Sir, we Indians could have slept soundly without caring for the defence of our country, by making him our Commander-in-Chief. We could have placed him in charge of the Army."

The statements of Mr. Malaviya have been given from notes taken when he delivered his speech. We are informed he has corrected his speech in the second time.

Mr. Malaviya, an exponent of the creed of non-violence, follower of the C. D. movement, has nothing but unstinted praise and admiration for one who had committed murders and dacoities, was manufacturing explosives on a large scale for further murders, and who would not face trial although overwhelming evidence, in his absence, had been led in Court.

Mr. Malaviya is equally an admirer of Kanai Lal Dutt, who had to his credit the conspiracy which led to the murder of two innocent defenceless women, Mrs. and Miss Kennedy, and who shot another man in jail. As if this is not sufficient he said that the Pioneer "Glorified the deeds of Kanai Lal Dutt."

Mr. Malaviya's speech is the strongest evidence of the folly of repealing Press Laws. The applause he received on this part of his speech shows he is not shaming in solitary glory.

With this evidence of sympathy with murderers, with the fact that many law breakers who still assert that they will break the law whenever opportunity occurs if they feel sufficiently strong—in fact, Sir, a considerable part of the law-makers believe in law-breaking—the executive will be entirely failing in their responsibility for maintenance of Law and Order, which is theirs under the present constitution if they allow the existing Legislation to expire.

Sardar Sant Singh has warned the House that Government will pay a very heavy price if it does not learn by the lessons of history—and history has shown that whenever press legislation has been withdrawn, the consequences have been disastrous.

History has equally shown that glorification of murder, incitement to violence, and fanning of communal passions, can be scorched, though not killed, by legislation directed to that end—while it has left the Press free to criticise Government reasonably and unreasonably, and with extreme severity and bitterness.

It is not my desire to take up the sections individually, which on a previous occasion was thrashed out for more than 20 days, and a new argument, one way or the other, is difficult for any body to find. I would like, however, to refer to the bogey which has been set up by Mr. Asaf Ali.

The bogey of disastrous consequences at the next election to those Hon. Members, who will support consideration of the Bill which means acceptance of its principle.

It is a threat to those who, convinced that the Bill is necessary, would be prepared to set up to their judgment by supporting consideration.

May I enquire if this is the test by which electorate will judge future candidate?

It so what happened to those who opposed consideration, or rather Select Committee which equally means acceptance of its principle.

Where are the Members from Madras, U P and other Provinces who strenuously opposed the Bill? Why has not a grateful country returned them to this House? On the other hand, why have members been returned who supported the motion for Select Committee on the last occasion?

I am sure this House, when listening to the threat of Mr. Asaf Ali, will not forget that he and his friends will wreck the coming constitution.

If that is the aim, it is but to be expected that they will oppose any measure which conduces to the working of the Government, and vote against Legislation which will enable Government to cope with subversive measures.

Indeed their expected attitude has been propounded with that clarity which is usual with the Leader of the Opposition. Let me quote his statement made on the floor of the House.

With our definite views as regards the result of the British rule in this country, it is not likely, nor is it expected, that if any such purpose is likely to be served directly or indirectly by any such celebration, we could offer any co-operation.

The test laid down is quite simple. The question whether any proposed measure is worth supporting on its merits does not come into the picture at all.

Does the Act of 1908 help the Government to maintain law and order? If it does, then it directly or indirectly helps the present Government and it must be opposed.

I should make a passing reference to the sarcasm expressed about possible gratitude for this measure of those who will succeed us. We may be lacking in intelligence, but we are not so stupid as to expect appreciation from a section whose ideal and objective are altogether different, from those who are interested in giving the coming constitution a fair trial.

If the objective of this section is 'wrecking of the coming constitution', we expect not gratitude, but thunder and fury at any measure likely to postpone wreckers, and to help the working of the administration.

Sir, I have no desire to deal with communism in detail, but I may say what is objectionable is not the preaching of communist ideas but the incitement to mass violence for attaining its ideal. Such writings are getting more and more numerous and extracts from them fill two volumes.

But, Sir, is Government the only body which believed in faith of communist party in mass violence? Let me remind the House of a statement of Dr Ansari, who can not be charged with being influenced by views of the Government.

In the Lahore Congress in 1929 when Dr Ansari was trying to support Mahatma Gandhi's resolution on the attempt on the Viceregal train, was being loudly interrupted by about 200 youths waving red flags, what did he tell the interrupters? Let me note the snub he administered to the red-flagged youths —

"Even those who are waving the red flag should remember that communists ~~people~~ do not believe in individual violence but believe in mass violence."

Indeed, Sir, adversity made strange bed fellows of Dr Ansari and the Government.

Mr Bhubabhas Desai, leader of the Opposition, received cheers as he rose to sum up the case for the Opposition. He said that there was a fundamental difference in outlook between the Government and the Opposition. The former did not concede the right of freedom to man or to the Press and all that it cared for was to cloak its naked autocracy by hypocritical acts such as bringing in the court of law to punish a man for publishing an article, which the Government had already prescribed. Similarly picketing had been made an offence for the purposes of preventing people from promoting industries in the country so that the children in the country might not starve. Griffith had disclosed the mentality of the people who never wished to part with power while Sir N. N. Sircar by cheap sneer forgot that on an occasion like this the debate should be lifted to higher considerations. Mr Desai maintained firstly, that civil disobedience would be resorted to whenever found necessary and while declaring the present suspension of the movement genuine, warned that enactment of such a law would make inauguration of civil disobedience probable. As regards the terrorists Mr Desai made it clear that however much he and the Congress condemned terrorism they could not dissociate from their mind the motive which prompted a man to commit a crime. The real way to kill terrorism was to eradicate the causes which led to it. He appealed to the House to reject the Bill. (Applause)

Sir Henry Crick, winding up the debate, said that ordinary law was insufficient to deal with terrorism. As for communism, though it would not be dangerous for some years to come the danger was there and should be provided for. As for communalism he reminded the House of the recent events in Bihar, Madras and the Punjab and asked them not to bury the head in the sand. He regretted that the word 'Liberty' had been used out of all sense of proportion.

The House divided at 7 p.m. and rejected the motion for consideration of the Criminal Law Amendment Bill 71 voting against and 61 for. The result was acclaimed with tremendous, prolonged and some what vociferous cheering by the Opposition. The Whips of the Congress Party received congratulations from all sides of the House. The House then adjourned.

#### CIVIL PR CODE AMEND BILL

**13th. SEPTEMBER** — Sir Henry Crick moved to day that the Bill amending the Code of Civil Procedure 1908, urging protection not only to industrial workers, but all judgment-debtors from detention in civil prison and confine such detentions to debtors proved to be recalcitrant.

Mr Bango described the hardships of the peasants and said that it was high time the Government should try to do something for them and that they should at least be placed on the same footing in the matter of debt as salaried people.

The discussion of the Bill was briefer than was anticipated. There was all round support to the measure, Mr N. M. Joshi observing "One step is enough for me."

Mr Chapman Mortimer's anxiety was only as regards commercial debtors whose case stood on a different footing. The Bill was referred to a Select Committee.

\* Mr Akhil Dutt, Deputy President of the Assembly in the course of a press statement said that peoples representatives have justified peoples trust by throwing the Bill by such a big majority. All Bengal representatives including Shri Amarendranath Chatterjee, Dr Pramatha Banerjee, Mr Bimal Chandra Chunder, Mr Lakshmi Kanta Moltra and Mr Surja Som wanted to speak, but none of them got an opportunity.

## DUTY ON CARBON BLOCKS

*Sir Zafrullah Khan's* motion for acceptance of the Tariff Board's recommendation, reducing the import duty on carbon blocks from twenty five to fifteen per cent. *ad valorem*, was carried. During the discussion, in which Mr B Das spoke, the Commerce Member pointed out that half the quantity of carbon brushes was imported and hoped that, as a result of the reduction, the local manufacturers would be able to capture the entire market.

## WAGES PAYMENT BILL

Mr *Mitchell* moved consideration of the Wages Payment Bill as reported by the Select Committee. He said that as a result of an amendment by the Committee considerable advances had been made in respect of the extension of the scope of the Bill securing prompt payment of wages and payment of full wages and giving effect to the Act. He explained these changes and added that the Bill was most important as it affected millions of the people of India.

Mr *F E James* moved that the Bill be re-circulated. Mr *James* said that the Bill, as it had emerged from the Select Committee, made extensive alterations and affected classes of labourers who originally were not intended to be brought in. The wage limit was raised from one hundred to two hundred rupees. The Bill, as amended, prohibited certain practices which were inherently not wrong.

Mr *Joshi* supported by Mr *V V Giri*, opposed re-circulation which in effect would delay the measure.

Mr *Mitchell* opposed re-circulation but proposed to meet the members interested in the Bill and those who had tabled a number of amendments to it on the next day when the question whether the Bill should be proceeded with on Monday or at the next session at Delhi would be decided.

Mr *James* withdrew his re-circulation motion and, pending the discussion tomorrow, the House agreed to take up consideration of the Bill on the 16th. The House then adjourned till the 16th.

## H E. the Viceroy's Address \*

**16th SEPTEMBER**—The Viceroy addressed both the Houses of the Legislature to day for the first time and gave a comprehensive review of the general conditions affecting India. His Excellency among other subjects, referred to foreign affairs, Indians overseas, trade conditions, civil aviation and broadcasting and finally advised India to work the new constitution which in his opinion, was a great gain to India.

The Viceroy announced his decision to recommend the passage of the Criminal Law Amendment Bill as the provincial Governments were unanimous in recommending its retention to secure the inauguration of the new order under conditions most favourable to the stability and success of the new Governments.

His Excellency said that the new constitution would be introduced by his successor who comes equipped with great technical knowledge of the constitution and would bring to the service of the Crown here the fullest sympathy with Indian aspirations and ideals. Lord Willingdon was glad that during his Viceroyalty the arduous efforts since Asoka onward had been consummated and the Act passed which for the first time in the history of India consolidated the whole of India for the purposes of common concern under a single Government.

His Excellency the Viceroy addressing both the Houses of the Legislature, said —

\* For the first time in the history of the Legislative Assembly the Viceroy's address was boycotted by a section of the House. The Congress party abstained from to-day's function, and even though seats have been spread the emptiness of the non-official benches in contrast to the overcrowding on the official side was marked, and the situation was slightly worsened by some members who were allotted back seats drifting to the front in order to be able to hear the Viceroy better. It seemed that the Congress party stood confronted by rival propositions, some suggesting that the speech should be punctuated by a demonstrative protest where the Viceroy announced his recommendation of the Criminal Law Bill and some others suggesting that they should walk out at that hour. The party leaders thought, therefore, that the best course was to absent themselves. The Congress Nationalists, however kept to their seats and they alone provided a Khadder setting to the sombre dark of morning dresses.

Gentlemen.—Once again it is my privilege as Viceroy to address hon. members of both Houses and to give a brief review of the general conditions affecting India, but before doing so I wish to make a brief reference of a personal character. Before I shall have an opportunity of addressing you again my Government will have said farewell to a valued colleague and the Upper House to one of its most distinguished members. Field Marshal Sir Philip Chetwode's term of office as Commander-in-Chief has been one of the most eventful within living memory for the army in India, and I cannot let this opportunity pass without paying my heartfelt tribute to the value of the outstanding services that he has rendered to India.

#### KING-EMPEROR'S SILVER JUBILEE

In addressing the members of the Legislative Assembly in January last, I expressed the hope that local Governments and local committees would receive the report of all communities in celebrating the 25th anniversary of the accession of his Majesty the King-Emperor to the throne and that the princes and people of India would once more give proof of their devotion to the Crown and of their sympathy for those in need by responding to my appeal on behalf of a fund to commemorate the occasion in an appropriate manner. I am glad to be able to day to acknowledge how magnificently my expectations have been fulfilled. From every part of India my Government received reports of the genuine and spontaneous exhibitions of enthusiasm which accompanied the jubilee celebrations not only in the larger towns but also in small and remote villages. The efforts of a few misguided people here and there to mar the occasion only served to show how few such persons were and how out of sympathy with the general spirit the people of India everywhere were eager to show their loyalty and devotion to the Crown. The response to my appeal has been equally gratifying and it is evidence of the generosity of the princes and people of India that the total collection for the Silver Jubilee Fund amount to the splendid sum of over Rs 125 lakhs. The result could not have been achieved without good organisation and much well directed effort, and to all those throughout the length and breadth of the land who have contributed in any way to the success of the fund I accord my grateful thanks. It will I am certain be a cause of great satisfaction to his Majesty the King-Emperor to know that his silver jubilee will for all time be associated in India with so great an increase in the resources of institutions which bring relief to those in sickness and distress.

#### FOREIGN AFFAIRS

I now turn to foreign affairs. As regards Nepal I would only say that 1934 added still another year to the long tale of unbroken friendship and mutual confidence which are traditional between India and this her only Asiatic neighbour within the Himalayan wall.

#### TRANSFER OF GILGIT

In another frontier field there are interesting developments to record. As the result of an agreement concluded with his Highness the Maharaja of Kashmir in March last, the civil and military administration of the trans-Indus portion of the Gilgit Wazarat was taken over by the Government of India on the 1st of last month. The change without diminishing the suzerain rights of his Highnesses (will leave) undivided local control in the hands of the Government of India on an important sector of the Indian frontier. I am happy to be in a position to assure the house that the reorganisation has been completed without additional expenditure to Indian revenues.

#### CHINESE TURKESTAN

Beyond the Gilgit frontier stands Sinkiang or Chinese Turkestan, the westernmost province of China. In this province the situation continues to be obscure and uncertain. My Government learnt with concern of the distress caused by the recent civil turmoil in this friendly and important province and the ensuing dislocation of the ancient commerce between India and China by the Karakoram passes. The Indian traders in Sinkiang have unfortunately suffered much hardship and loss both to life and property, but there are signs that the efforts of his Majesty's consulate at Kashgar in their behalf are bearing fruit. Indeed one of the most affecting tributes of loyalty to the King-Emperor came from these very traders who despite all hardships and losses in this distant land combined to contribute a sum of several thousand rupees to his Majesty's Silver Jubilee Fund. Our sympathies are with the local Sinkiang

authorities and with the central Chinese Government in their task of maintaining order and control—a matter of no little neighbourly concern to India.

#### INDO-AFGHAN TRADE

My Government have under active consideration the question of the improvement of trade facilities between India and Afghanistan in the light of the report of the trade delegation which visited that country from India in the spring of last year. In particular it is our desire if possible, to devise means of lessening the difficulties to Indian trade created by the recent adoption by the Afghan Government of a state trade monopoly system.

#### NEW RELATIONSHIP WITH ARAB COAST RULERS

His Majesty's Government and the Government of India have special relations of long standing with the independent rulers of the States on the Arab coast of the Persian Gulf and have accepted special responsibilities towards them in order to strengthen these ties. And in view of the fact that the Arab coast has acquired a new and increasing importance as a result of the establishment of the Imperial Airways route on that coast and of recent commercial developments, his Majesty's Government with the concurrence of his Excellency the Shaikh of Bahrain have now transferred to Bahrain their naval stations hitherto existing at Hengam and Basida. His Highness the Sultan of Muscat, their Excellencies the Shaikhs of Kuwait and Bahrain and certain of the crucial coast Shaikhs have concluded agreements with the British Government which facilitate the passage of the aircraft which form a link of ever-increasing importance in the empire chain of communications—a link in which the Government of India have a vital interest. I shall always remember with pleasure my meetings with certain of the Arab rulers in the course of my recent journeys by air through their territories. Their loyalty to their ancient associations with the British Government and the Government of India was on that occasion expressed in the most marked manner, and they may rest assured that no Viceroy in India can fail to have their interest at heart.

#### QUETTA EARTHQUAKE

The Frontier Province of Baluchistan has been the focus of world wide sympathy on account of the terrible earthquake which as hon. members are aware, recently overtook the city of Quetta and the surrounding areas and which caused a loss of life and destruction of property probably unprecedented in the history of this country. The outstanding feature of the scene of suffering and devastation that followed this catastrophe was the prompt and effective manner in which the troops of the Quetta garrison—officers and men—were organised for relief and rescue work. I had the privilege of paying them all my personal tribute of admiration during my recent visit to Quetta. I now take this opportunity again of expressing, on behalf of the Government of India and myself our heartfelt sympathy with all those who have suffered and our deep gratitude to those, including the various relief organizations, who have spared no efforts to alleviate their suffering and losses and in this connection I wish particularly to bring publicly to your notice the magnificent work that was done by the ladies of Quetta, for whose untiring and devoted service it is difficult to find words of sufficient praise and appreciation. I must also make mention of the most generous way in which the local Governments particularly of the Punjab, Bombay and the North West Frontier Province have responded to our appeal for help with staff, money and medical and other facilities, and we are indebted to them and their officers for the efficient organizations set up by them for the reception and relief of refugees. My very sincere thanks are also due for the generous and world-wide sympathy that has been shown in response to my appeal for funds. It is evident that the damage which has been caused amounts to several crores of rupees and we shall need all the money we can collect if we are to be able effectively to relieve the thousands who have been rendered homeless and destitute.

#### DELIMITATION OF SINO-BURMESE FRONTIER

The problem of the delimitation of the undemarcated frontier between Burma and China, to which I referred when I last addressed this House, has advanced a stage nearer to solution, as the result of an agreement reached between his Majesty's Government in the United Kingdom and the Government of India, on the one hand, and the Chinese Government, on the other hand, by an exchange of notes. A joint boundary commission, with a neutral chairman nominated by the League of Nations,



has been appointed to determine the southern section of the undemarcated boundary between Burma and Yunnan. The League has been fortunate in securing the services of Col Iselin of the Swiss Army, as chairman of the commission. This officer has the experience of having successfully and impartially determined the frontier between Iraq and Syria and is thus particularly well qualified to preside over the labours of the commission on the Indo-Chinese frontier. The commission hopes to assemble by Dec 1 next and start operations immediately.

#### INDO BURMA TRADE AGREEMENT

Whilst on the subject of Burma I would remind hon. members that when I addressed them in January last I mentioned that the question of the trade relations between India and Burma after separation was the subject of conversations between my Government and the Government of Burma. These negotiations have now been concluded and the agreement which has been reached has been embodied in the draft Orders in Council which were recently published for general information. These draft orders will in due course be laid before Parliament in accordance with the provisions of the Constitution Act, and it would perhaps be inappropriate at this stage to discuss them in any detail. I would however say that they represent the agreed opinions of my Government and of the Government of Burma as to the regime which is best calculated to create an atmosphere in which the two countries may during the period of transition soberly and dispassionately consider the problems of their future relations.

#### INDIANS IN ZANZIBAR

I am aware of the deep interest which hon. members have consistently evinced since the legislation of last year in the position of Indians in Zanzibar. The general question is still the subject of discussion between the Secretary of State for India and the Secretary of State for the Colonies. The decision of the Secretary of State for the Colonies that if specific cases of misbehaviour alleged to have resulted from the operation of the clothes laws are brought locally to the notice of the Government of Zanzibar they will be most carefully investigated by that Government and if necessary brought to the notice of the Secretary of State for the Colonies has already been announced. All that I can do at this stage is to assure hon. members of the unceasing vigilance and solicitude of my Government.

#### KENYA MARKETING LEGISLATION

Hon. members will remember that in the course of my last address to the two Houses of the Central Legislature I referred to the outcome of Mr Menon's enquiries regarding the probable effects of the Marketing Bill which had been gazetted in Kenya on the interests of Indians. His report has since been published together with the comments of the Governors of Kenya, Uganda and Tanganyika. I also informed hon. members that in deference to the wishes of the Government of India, the Kenya Government had agreed to defer progress with the Bill pending consideration of Mr Menon's report. It was not to be expected that legislation which had already been announced on the lines of that existing in the sister territories of Uganda and Tanganyika and of which the primary object was to improve methods of marketing would be abandoned. The Government of India, therefore, bent their efforts to securing such amendments in the Bill as would reduce the hardships and remove the apprehensions of the Indian trading community in Kenya. The provision of the Bill which evoked the harshest criticism was that relating to the grant of exclusive licences. It was feared that if, as originally proposed the Governor in Council was entitled to issue exclusive licences without reference to the Legislative Council, there would be neither sufficient publicity nor adequate opportunity for discussing the question whether the issue of such licences was necessary or justified. In order to meet this objection the Government of Kenya have inserted a provision in the Bill to the effect that the application of the principle of an exclusive licence to any particular type of produce shall be effected by a motion in the Legislative Council after 14 days' notice has been given. Apart from the question of exclusive licences the chief anxiety of Indians was that the number of haying centres might be unduly restricted and that they might be located at inconvenient distances from the existing markets. In this respect the Government of Kenya had agreed to give an assurance that all important markets existing at present would be declared as buying centres. It is understood that the Government of Kenya have gone farther and have inserted an amendment in the Bill itself providing that trading centres will automatically be markets under the Ordinance. Certain subsidiary amendments such as the

provision that reasons for the refusal to grant or renew a licence shall be recorded in writing have also been effected. Above all, a categorical assurance has been given both by the Colonial Office and by the Government of Kenya that the Bill is not racial in its intention and will not be racial in its operation. These are important safeguards. As hon ble members are aware, the Secretary of State for the Colonies has agreed that the Bill should not be brought into operation until he has had an opportunity of considering it as passed, if necessary, in consultation with the Secretary of State for India. The way is, therefore, still open to further representations by us, should these become necessary.

#### INDIAN RESEARCH FUND ASSOCIATION

A subject of considerable general interest and importance on which I should like to dwell is the activities of the Indian Research Fund Association. The association depends for its activities primarily on funds provided by Government. The Central Legislature is represented on its governing body by two members elected by the Legislative Assembly and one member elected by the Council of State but I am not sure whether the nature of the work done by the association is widely known. This must be my excuse for referring to the subject. I think I am correct in saying that the association, which was founded in 1911 was the first organisation of its kind to be constituted in the British Empire. The Medical Research Council in England was started only during the Great War. An increasing degree of public interest is being directed towards the graver diseases which afflict our country such as malaria, Kala-Azar and cholera. In Kala Azar notable success has been achieved through investigations made by a special commission appointed by the association and through ancillary enquiries which it partly financed. As a result, this disease, which at one time seemed so menacing a problem in the eastern parts of India, may now be said to have been brought definitely under control. During more recent years the problems associated with cholera have been receiving intensive study and I am informed that there is considerable hope that the enquiries now being carried out will throw new light on many of the puzzling features of this formidable epidemic disease. Malaria is a disease of more widespread incidence and presents more varied problems. I need hardly remind hon members that it was an officer of the Indian Medical Service who discovered how the disease is transmitted and thereby pointed out the course of subsequent investigation. It is, therefore, in the fitness of things that India should continue to take a leading part in the investigation of malarial problems. The malaria survey of India organised by the Indian Research Fund Association has been at work for years past and has achieved notable results. As an illustration of its activities I may add that at the moment one of its parties is engaged in a survey of Quetta and its environments, where malaria has been and is one of the major problems of public health. All of us perhaps are familiar by now with the term deficiency disease and all that it connotes. The Research Fund Association has been for long cognisant of its fundamental importance and among its most notable achievements are the researches in nutrition carried out in Coonor by Sir Robert McCarrison, who has earned a world-wide reputation and has brought credit to himself and to India. The results of the researches carried out under the auspices of the association are published from time to time in the *Indian Journal of Medical Research* and the records of the malaria survey publications issued under its authority, but for the convenience of the general public non technical articles are also issued periodically to the lay press. The account that I have given of the activities of the association has had to be brief. It must not be regarded as exhaustive. But if it should serve to focus interest on a branch of research which is of the utmost importance to the welfare of the country, my object will have been served, for interest begets sympathy and sympathy encouragement. The lot of the research worker is often to miss both because of the highly technical nature of his investigation and the comparative infrequency of dramatic discoveries, but these latter, when they come, are the culmination of years of patient toil by men whose normal is only the satisfaction that comes of duty conscientiously done. Our more enlightened age should at least lend them the encouragement of a public consciousness of the essentially cumulative character of scientific discovery.

#### SURPLUS STOCKS OF QUININE

Hon. members will be interested to hear of a recent decision taken by my Government about the disposal of our surplus stocks of quinine. Although public health is a transferred provincial subject, the Government of India decided some time ago

that they should maintain a reserve of 150,000 lbs. of this drug in order to meet possible emergencies. The real distressing experience of Ceylon where the incidence of malaria on an unprecedented scale last year rapidly depleted locally available supplies has emphasised the wisdom of the decision. The surplus to which I have referred represents the stock of quinine of the Government of India over and above this reserve. The question of its disposal has been engaging the attention of my Government for some time past. Considering the constitutional position we were under no obligation to distribute it to local Governments below the prevailing market rates. Nevertheless in 1932 local Governments were offered supplies in addition to their normal annual requirements, quinine at a price lower than the cost of production so that they may be enabled to extend requirements of the people at a smaller cost than would be incurred if this additional quinine was obtained at current market prices. This scheme fell through mainly because local Government found themselves unable to buy the entire surplus stock with sufficient rapidity even at the reduced price. The Government of India then endeavoured with the full consent of past public Accounts Committees to sell this surplus to trade agencies not with a view to financial profit but in order to convert into cash a commodity for which there was no effective official demand and thus make available funds that might be utilized for some useful purpose of public benefit. These efforts not having met with appreciable success it was decided recently to distribute 45,000 lbs. of quinine to local Governments, subject to the condition that this amount will be distributed over and above the quantities which local Governments may now be distributing at their expense. The amount which is proposed to be distributed comes to more than half the available surplus which at the end of June last was only 79,000 lbs. and represents at the current market price of quinine a gift of Rs. 10 lakhs to the provinces. It is hoped that the bulk of this will reach the masses in the rural areas and supplement in the field of public health the assistance that the contribution of one crore announced by the hon. Finance Member during his last budget speech was designed to provide towards rural reconstruction.

#### INDIA'S FOREIGN TRADE

You will I think, expect me to make some mention of a matter which particularly at the present time is of great public interest. I refer to India's foreign trade. Nine months ago I ventured to express some degree of cautious optimism in spite of the disabilities under which international trade was then labouring. It is a matter for regret that world conditions will show little sign of the long awaited recovery, on the contrary yet another of our most important markets, namely, Italy, has been obliged to impose a system of drastic control over imports in order to protect her foreign exchange position. Nevertheless I feel that I am justified so far as India is concerned in repeating that note of optimism. India's exports of merchandise for the first four months of the present trade year show an increase of more than 4 and a half lakhs over the figures for the corresponding period of 1933 and though they show a comparatively small increase of 1 and a half lakhs over last year's total it must be remembered that 1934 was marked by exceptional purchases of raw cotton by Japan. On this one head of our trade accounts alone, namely cotton purchase by Japan, there has been a decrease of over 3 and a half crores in the present year. Omitting this exceptional item India's export trade in other commodities has improved by three crores in comparison with last year. Hon. members may be interested more particularly in the results of our trading with Germany and Italy—countries in which the most stringent measures of control have been imposed. In the case of Germany our information is based on the reports of our trade commissioner in Hamburg who has made a critical examination of the German import statistics. Mr. Gupta informs us that in the last quarter of 1934 the balance of trade was against India to the extent of 2 and one-fourth per cent, in the first quarter of 1935 the balance was even showing an exchange of goods valued at 26 million reichsmarks, for the second quarter of 1935 the balance has again swung in India's favour and Germany has imported from India goods valued at 31 million reichsmarks against exports to India of 24 million only. Again in the case of Italy contrary to what might have been expected from the new and stringent system of import control our exports in the first four months of this year have fallen off by 6 per cent only. I quote these figures in no spirit of complacency. My Government are fully alive to the dangers with which the course of international trade is now beset and they will continue to watch the situation with the most serious care.

Before I leave this subject may I bring one circumstance to the notice of those who may have found little consolation in a comparison of the trade figures of pre-

pression years with those of the present day I would ask them to remember that world prices of primary commodities have fallen some 45 per cent since 1929 and that values in themselves are no true index to the variation in the quantum of trade

#### INDUSTRIAL MATTERS

I turn now to certain industrial matters of interest. The coal industry in particular has been prominent in our thoughts in recent months. You will, I am sure, share my deep regret at the two tragic mining disasters which recently occurred within a month of each other and in which 31 persons in all lost their lives. The second of these accidents was, with one exception, the worst mining disaster that has occurred in India. In spite of all that care and foresight can do mining remains in every country in the world a dangerous occupation and our record in India in this matter hitherto has been comparatively good. These two last disasters have each been referred for investigations to statutory courts of enquiry by the Government of Bihar and Orissa and I do not, therefore, desire to comment further upon them except to say that I trust that the results of the courts' investigations will be to indicate some steps by which the risk of the recurrence of such events can be minimised. I noted with pleasure the passing at your last session of the Mines (Amendment) Act which will reduce the hours of labour, will give further protection to children and will effect a number of other reforms. It will come into force in a fortnight's time and I hope that it will prove effective in increasing the welfare and efficiency of the miners.

As most of you are probably aware we have now constituted within the Government of India a Bureau of Industrial Intelligence and Research and the advisory council for this subject held recently its first meeting in Simla. I am glad to say that we have secured the co-operation of the provincial Governments, of the leading States and of prominent non-officials on this council. We have started on a small scale, but it is hardly necessary for me to emphasize the increasing importance of industrial research and intelligence in the advancement of industry. It is my hope that as this work develops it may prove of substantial assistance to Indian industrialists and particularly to those who by reason of the small scale on which they work are unable to undertake research for themselves or in present conditions to avail themselves of adequate expert advice.

Civil Aviation is a subject which will during the next few years force itself increasingly upon us all. You will remember that about a year ago we undertook an important programme of development designed primarily to bring the main trans-India route and certain internal routes into line with modern ideas. In order to ensure the closest cooperation required between the civil aviation experts and the engineers we have formed a special civil aviation circle in the Central Public Works department to carry out the programme directly. The estimated cost of the works was Rs. 92.57 lakhs and you will be interested to hear that orders have already been placed for hangers at a total cost of Rs. 16 lakhs and for lighting equipment at a cost of approximately Rs. 9 and a half lakhs. Progress with works for which special surveys have to be made will naturally be rather slower, but the outlines of the programme as a whole are being filled in. We are now faced with the introduction of regular night flying and with a greatly increased intensity of the trans India services. These changes will involve certain important adjustments within the original programme and I hope that our ground organisation will be developed fast enough to meet the demands of the air.

A less spectacular but not less useful branch of official activity is the administration of the Road Fund. Your resolutions of April 1934 prolonged the life of the road account indefinitely and made it possible for the standing committee on roads to take a longer and perhaps a more generous view in dealing with the demands of the provinces. A special contribution of Rs. 40 lakhs to the reserve in the account was a most welcome addition to the sum available for distribution, of approximately Rs. 118 lakhs from the reserve—this sum representing resources actually in hand plus the additional resources likely to accrue during the execution of the works. We have not forgotten the provinces which are most in need of help for road development and the scheme approved by the committee allows for grants of Rs. 25 lakhs and Rs. 12 and a half lakhs to Assam and Bihar and Orissa, respectively. The needs of the new provinces of Orissa and Sind will be specially considered. Surveys are in progress in Orissa and will shortly be undertaken in Sind.

You are aware that for some time past my Government have been giving attention to the development of broadcasting. At the last session of the Legislative Assembly a fund of Rs. 20 lakhs was created for this purpose and we are now considering to which of our many needs this fund should be devoted. We are already erecting a

large transmitting station in Delhi to broadcast programmes in English and in Urdu. This station will, I hope, be ready for use before the end of this year. A large transmitting station at Madras will certainly be needed and we hope to instal new and powerful transmitters at the existing stations at Calcutta and Bombay. Whether it will be possible within the resources now at our disposal to instal four relay receivers and two shortwave stations to complete a broadcasting framework for India as a whole I cannot yet say. A more detailed investigation of costs will be made during the coming winter, and a definite scheme for the expenditure of the sum included in the fund will then be prepared.

#### FALL IN RAILWAY EARNINGS

It is a matter of great disappointment to me that the improvement in railway earnings which was so welcome a feature of the previous year has suffered a setback during the current year, though I hope it is only temporary. Till the middle of August railway earnings have been about half a crore below those of last year and unless there is a change for the better soon the position of Indian railways will again become serious. I can only add at present that Government are fully alive to the gravity of the situation with those responsible for the administration of Indian railways in order that whatever steps are possible may be taken to improve their net earnings.

#### RESERVE BANK OF INDIA

This year has seen an important step forward in the development of the financial organisation of India. On April 1 last, the Reserve Bank of India came into existence and assumed responsibility for the management of the currency and exchange and for making the sterling remittances of the Government of India. The Gold Standard Reserve and the Paper Currency Reserve were on that date amalgamated and transferred to the control of the bank. The bank is at present continuing to issue Government of India currency notes in the form with which the public is familiar. In due course these will be replaced by the bank's own notes. The bank did not assume its full responsibilities as head of the credit organisation of India until the beginning of July, when the scheduled banks were required to make their deposits. From that date the Reserve Bank became a central bank in the full meaning of the term and on July 4 declared its bank rate for the first time.

#### RURAL DEVELOPMENT SCHEME

In March last the legislature approved of the proposal that out of last year's revenue surplus, a sum of Rs 113 lakhs should be distributed to the provinces for the purpose of improving the conditions of life in the villages. This action I am glad to say has been universally welcomed throughout India. Rs 15 lakhs of this grant were set apart for assisting the co-operative movement. The local governments were invited to make recommendations as to the most profitable use to which the balance could be put and their proposals have been scrutinized by the Government of India before their approval was accorded. A statement has recently been laid on the table of this House which shows the objects to which the money is being devoted. The objects are various since they are adjusted to the needs of the different parts of the country. Out of the total grant, over Rs. 25 lakhs will be spent on village water supply and irrigation, nearly Rs. 19 lakhs on schemes for general improvement in the villages, Rs. 12 lakhs on the improvement of village roads and Rs. 10 lakhs on sanitation and medical work. A sign of the times is that in certain provinces money will be spent on arrangements for broadcasting instruction and entertainment in the villages. My hope is that this grant will prove the beginning of a steady advance throughout India in improving the conditions of life in the villages in which nine tenths of the population live.

#### GOVT OF INDIA ACT

Since I last addressed you the Government of India Bill has received the Royal assent and has become the Government of India Act, 1935. A great and difficult task has thus been completed by Parliament, after an expression, direct or indirect, of the views of all sections of the peoples of British India and prolonged consultation with the princes of India here and in England. Views of every nature, extreme or moderate, advanced or conservative, have been expressed. We have all sought to obtain this provision or that in the constitution and we have all sometimes succeeded and sometimes failed. It is the business of men of practical wisdom now to forget the individual issues upon which opinion has differed and to consider the sum and substance

of our total achievement. On such a consideration we must, I think, conclude that the gain to India is great. I do not, therefore, on this occasion desire to invite your attention to any of the particular provisions of the Act, but I would ask you to consider two broad features of the new constitution and desire to give you, if I may, one word of advice. It is a matter of great satisfaction to me that during my Viceroyalty there has been made possible a consummation which many of the great rulers of India through the ages desired to see but did not see and which was hardly in sight when I myself took office over four years ago. I mean that the Act for the first time in the history of India consolidates the whole of India, State and British, for the purpose of common concern under a single Government of India for the first time, and can become one great country. The second broad feature in contrast with the existing constitution is that the Government of India under the new constitution will draw their authority by direct devolution from the Crown, just as the Dominion Governments do. They will cease to be agents and will stand forth as full political and juristic personalities, exercising the function of his Majesty. The first feature to which I have referred is the consummation of age long efforts, not only of the British Government but of all great rulers in India, from Asoka onwards. The second feature is the necessary preliminary and best augury for the full attainment by India of the political character which the most developed of his Majesty's dominions enjoy. My experience of India now extends over two decades and I have also had no inconsiderable experience of the history and practice of political life in the other parts of the British Empire. It is out of that long and full experience and out of the genuine sympathy which I have ever felt for India's political aspirations that I give you this word of advice. Nothing is to be gained by working the constitution in a spirit of mere destruction or by the abandonment of constitutional methods.

#### GREAT POTENTIALITIES OF DEVELOPMENT

The new constitution contains within it great potentialities of development. Everything is to be gained by taking up the new proffered role of a consolidated India and a full political personality and by developing the constitution till it in due season sheds those limitations and restrictions which have been designed for the period of its growth. The abandonment of constitutional methods has never led us anywhere in the past and will never lead us anywhere in the future. It will not be my task to introduce the new constitution nor to join with you in its constitutional and I trust harmonious development.

#### TRIBUTE TO NEW VICEROY

I shall hand over that task to one who comes equipped with a great technical knowledge of our new constitution, for he has himself been a builder in the construction of your policy, one who will I know bring to the service of the Crown here fullest sympathy with your aspirations and ideals. I feel the greatest confidence that when he comes to the stage, which I have now reached my life here as Viceroy, he will look back on a period, fraught with great good to the fortunes of India, enriched by the same kindness which you will assuredly accord to him as you have so generously accorded to me.

Your thoughts are no doubt occupied, as mine are, by forecasts of the steps by which and at which the new constitution will be brought into operation. It is impossible for me at the stage to give any indication of precise dates but as you are no doubt aware all branches of my Governments and all the provincial Governments in India are actively and industrially engaged on the problems which must be solved before the new constitutions in provinces and at the centre can be introduced. We shall spare no efforts which will enable us to introduce the new order of things at the earliest possible date. In conformity with this intention the committee appointed by his Majesty's Government to report on the delimitation of constituencies and connected problems will assemble in Simla before the end of the present month, that is within two months of the date of the Royal assent. We have secured, as the chairman of that committee, an electoral authority of great eminence in Sir Laurie Hammond, while with him will be associated two Indian members whose experience as High Court judges ensures that judicial outlook and strict impartiality which are so essential. The problems which face the committee are of great complexity but I am confident that they will prove equal to the task.

In conclusion I wish to make an appeal which is not new but which is uppermost in my mind at the present time. No system of Parliamentary Government can be expected to work successfully and for the benefit of the people as a whole without the

existence of a spirit of accommodation and a willingness on the Part of all sections of the people to prefer the wider interests of the whole body politic to the narrower interests of their own particular section. As I said not long ago, in a speech at Allahabad, the shadow of communal strife is hanging at this time over India. It is a shadow of evil portent and a cause of constant anxiety not only to all Governments in India but to all thoughtful and irresponsible people. If India is to enter on her new constitution to conditions favourable to its successful developments that shadow must be dispelled and I would appeal to all those who love this country and desire to see it well governed by its own people to show a spirit of tolerance and goodwill and to work for the creation of greater friendliness among all communities.

#### CR. LAW AMENDMENT BILL

On Thursday last the Legislative Assembly, to the regret of my Government and myself, refused by a majority to take into consideration the bill to give permanence to the Indian Press (Emergency Powers) Act, 1931, and to certain provisions of the Criminal Law Amendment Act, 1932.

I had hoped that the Assembly would share with the Government the responsibility for this measure. Their refusal to do so has transferred the responsibility to me and after taking time to consider all the implications of the action or inaction on my part I have decided in discharge of my responsibility for the safety, tranquility and interests of the British India, to give the Assembly an opportunity to consider their decision and the Bill will be brought before that House again in a recommended form.

The arguments for and against the Bill have already been discussed at great length on the floor of the Legislative Assembly and I shall, therefore, state as briefly as possible, my own reasons for considering the passage of the Bill to be essential. We are on the eve of important changes in the constitution of India within the next two years. The primary responsibility for the maintenance of peace and good Government in the provinces will be transferred to Ministers, responsible to the legislatures. I consider it my imperative duty to use such powers and possess to secure that that transfer takes place in the most favourable conditions possible to the stability and success of these new Governments.

Dangerous subversive movements are still active in the country. Communal unrest, as I have already said, is unfortunately a more serious danger than for many years past. The experience of all local Governments has been that the provisions of this Bill give them powers who are effective in keeping these movements in check and in preventing the publication of incitements to communal dissension. They are unanimous in considering the retention of these powers essential. I am myself satisfied that they are right and thus I would be failing in my duty, if I did not use my special powers to secure that these Governments have these powers during the remainder of the present constitution and that the new Governments shall also have them when they take over the rest of Government. And now I leave you gentlemen to continue your labours of this present session and to do so with full confidence that you will continue to maintain the traditions and dignity which have always characterised the proceedings of our Legislative Chambers.

#### REPEAL OF CRIMINAL LAW AMEND ACT 1932

**17th SEPTEMBER**—The Assembly met to-day in order to discuss non official business. The discussion adjourned from the Delhi session was resumed on Mr R Das's Bill to repeal the Indian Criminal Law Amendment Act, 1932.

Sir N N Sircar (Law Member) who on the previous occasion spoke for two and a half hours, continued his speech and said that on the last occasion he referred to 56 cases, which number might have increased, in which responsible Congressmen, including members of the Congress Committee, were convicted of violent crime. This proved conclusively that a large number of associations, including Congress organizations, were nominated by men who believed in violence, though they found it expedient to sail under the flag of non violence just as Chinese pirates often used the Red Cross flag. Sir Nripendra dealt with the question of percentage of violent crime and said that this was not so small as Mr Chhansyam Gupta thought. In the Chittagong case the actual raiders were probably a hundred or two hundred. He read extracts from the evidence of the leader of the conspiracy in order to show that, besides the Congress Committee, organizations of physical culture of volunteers and of women were part of the terrorist organization and the number involved by reason of the intense activity of the Congress at Chittagong could safely be put at several thousands. The other instances were the Chechnia 'hat' case in Midsapore and the recent inter-pro-

vioal case tried at Alipore. Continuing, the Law Member said that it had been stated that repression could not remove terrorism. No one asserted that it could nor that the substitution of executive for judicial judgment was a trifling matter. But if repressive law was an abomination it was the result of compelling necessity. Those who had no faith in the executive, but had unlimited confidence in court, found it convenient to ignore the findings of the court. That class of papers was a lump of the conspiracy and through the cult of violence had reached the people even in the remote parts of the province. Mr. A. C. Dutt had stated that terrorism was due to hunger for freedom and bread. The Law Member asked whether similar hunger did not exist elsewhere, whether Madras, Bombay and other provinces were flowing with milk and honey (Mr. Joshi: There is no permanent settlement there). The leader of the Opposition had warned them that if criminal law continued there was a probability of civil disobedience being launched. The Law Member considered that as a much lesser evil than the certainty of anarchy and chaos if the law was replaced. He characterised Mr. Desai's speech the other day as remaining high up in the air and never coming down from it to the hard realities of the world in which they lived. The Law Member ended by appealing to the House to reject Mr. B. Das's Bill.

Mr. Shamal said that he as a former defence counsel in conspiracy cases proposed to give instances from judicial records to show how the special powers given to the Government were abused, how evidence was fabricated by the police, and how titles were conferred on the police and the magistracy by the Government. When the Lahore conspiracy case was proceeding the approvers said that they wanted to be taken out of the custody without which they could not give out the facts. An application was made to the High Court asking for orders for their removal from police custody, but the Government, in exercise of their special powers, issued an order declaring the Fort, in which approvers were kept, as a jail thus defeating the object of the defence application. Mr. Shamal multiplied instances where he alleged the C. I. D. and the magistracy were involved in committing piracy and forgery and declared that such officials would surely abuse the special powers. He reminded the House of the statement of the accused in the Lahore conspiracy case namely, that they were determined to become terrorists only after they saw a Police Superintendent himself deal lathi blows on Lala Lajpat Rai (Voice: Shame!). Mr. Shamal said that terrorism was due to British domination and exploitation and when the latter ceased the former would.

Mr. N. Bardoloi narrated his experiences in Assam where he said authorities themselves had practised violence in many cases. Terrorism in Bengal was due to continued repression and suppression practised by the authorities and their attempt to put class against class. Mr. Bardoloi had not finished when the House adjourned.

#### INDIAN COFFEE BILL

18th. SEPTEMBER.—Official business was transacted in the Assembly to day. Mr. Zafarulla Khan introduced a Bill to provide for the creation of a fund for the promotion of the cultivation, manufacture and sale of Indian coffee.

#### OTHER OFFICIAL BILLS

Mr. N. N. Sircar introduced a Bill to remove certain doubts and validate certain proceedings of the Allahabad High Court. This Bill was called Jubulpore and Chaturgarh Divisions Divorce Proceedings Validation Bill. Four Government measures were then passed. They were Central Provinces Court Act Amendment Bill, Indian Army Act Amendment Bill, and Provincial Insolvency Act Amendment Bill.

#### INDIAN MOTOR VEHICLES BILL

Discussion was then taken up of the bill to amend Indian Motor Vehicles Act. Mr. Lalchand Navaiyas suggested a select committee, which motion was supported by Mr. Sri Prakash.

#### PAYMENT OF WAGES BILL

Mr. D. G. Mitchell informed that the Government had decided to take up discussion of the Payment of Wages Bill on the commencement of the Delhi session with a view to fully consider the amendments tabled by several members and also certain opinions in the meanwhile on important changes made in the Select Committee. The Tariff Board's report on the enquiry into the claim of Messrs. H. M. Patel and Company, Bombay for rectification of tariff inequality in respect of manufacture of shuttles is published. The Board have found the claim to be unsubstantiated and the Government of India accept this finding.



Mr Asaf Ali moved reference of the Bill to a Select Committee. He complained that certain principles had been adopted in the Bill, which were unknown to jurisprudence.

#### COFFEE CESS BILL

Sir Zafrullah Khan introduced the Coffee Cess Bill and said that it was non-controversial and was being introduced because a preponderating majority of growers favoured the proposal which also had the support of the Governments of Madras, Coorg, Mysore, Travancore and Cochin.

#### INDIANS IN ZANZIBAR

Pandit Govindballabh Pant moved "This Assembly recommends to the Governor General in Council to take all effective steps in the interests of and to vindicate the position of Indian nationals settled in Zanzibar."

He said that the history of Indians overseas had been one of unrelieved agony, harassment and humiliation and had been particularly marked in the countries included in that pretentious euphemism the "British Commonwealth." The Indians had gone abroad on being invited and actuated by motives of extending their sphere of influence to build railways or to acquire maritime places. They had never demanded reservations or commercial safeguards. In Zanzibar they had settled at the invitation of the Sultan. The Indians everywhere were in a minority. He quoted extensively from what he described as Mr Menon's Report, written in an inimitable style, depicting the conditions of Indians in Zanzibar and the personnel of the Clove Growers' Association none of whom was a clove grower, and which was bossed by one Mr Bartely, who had unsuccessfully competed with Indians in the clove export trade. The Zanzibar decrees were definitely racial. He did not doubt that Government of India had been doing their best, but asked what the best meant.

Sir Giryja Bajpai felt glad that generally on the question of Indians overseas there was always agreement between the Government of India and the people. While agreeing that the Bill was regarded as racial and while assuring that the Government of India would press the Indian point with a view to protect Indian interests, Sir Giryja Sankar could not see how they could prevent the Zanzibar Government from taking action under the decree.

The resolution which the Government had accepted was passed without being challenged. The House then rose for the day.

#### QUETTA EARTHQUAKE INQUIRY

19th SEPTEMBER.—Mr P. V. Kumaraswami Raju rose to move the following resolution to day: "That a committee consisting of officials, and non officials, be forthwith appointed in order to investigate and report as to whether the situation arising out of the recent earthquake in British Beluchistan, and particularly in the town of Quetta, has been properly handled particularly as regards the search for the rescue of the living, wounded and buried, salvage of property and transference of the wounded and injured outside the affected area."

The mover fully appreciated the valuable work done by the authorities in Quetta, but pleaded that that could not allow feelings of public gratitude to blind them to rumours and allegations made after the earthquake. He referred to certain allegations and complained that the answers given in the Assembly to questions did not satisfy the public. He asked why men of public eminence as Mr Gandhi had not been permitted to visit Quetta, especially as the Government and the public were benefitted by help given by Congress leaders like Mr Rajendra Prasad in the Bihar disaster only last year.

Mr G. R. F. Tottenham, Army Secretary, said that the mover wished by the resolution to restore public confidence. The speaker felt that there was no need to restore confidence in the matter and added "You cannot get away from the fact that the real object behind this resolution is to endeavour to bring the Government into discredit by suggesting that they were actuated by racial and political considerations. It is no thing short of monstrous to make such a suggestion. (Applause). Speaking on behalf of the army, Mr Tottenham said that he had hoped that the magnificent conduct of General Karslake and the troops would lead to better feeling and better understanding between the people of India and the army maintained to protect them in times of danger. Mr Tottenham said that not a shred of evidence was produced to justify that charge. Mr Tottenham next gave the House the evidence revealed by the excavations. Between June and August 600 corpses had been discovered. Of these 117 were in the civil lines of whom all except three were found in the beds. As regards 500 found in

the city only eight were found outside their houses. This evidence proved conclusively that ninety per cent of the people had died immediately. He had full records of the heroic deeds of the British and Indian soldiers.

Mr Tottenham contended that it was easy for armchair critics to be wise after the event. The water supply did not fail, the railway did not fail, epidemic did not occur, but these were possibilities which General Karslake had to face and he was right in taking every step to prevent further loss of life. Mr Tottenham characterised the resolution as misguided, misconceived and uncalled for.

Mr *Leitchand Navarat*, speaking from personal experience, quoted a telegram from the A G G who had refused him permission to visit Quetta on June 3 and also refused to excavate the building of his relative. Tramloads of people left Karachi for Quetta on May 31, but were held up at Sibi. He mentioned the opinion of a Dewan Bahadur in Quetta that Sir Norman Cater if given a free hand, would have allowed volunteers but the military handicapped him. The speaker wanted an enquiry whether the troops were adequate, whether the time allowed was adequate and whether the rescue work was stopped prematurely. While he praised the Englishmen, and women, the N W R. and the postal authorities for individual acts he felt that the Government had blundered.

Mr *Acheson*, Foreign Secretary, did not agree that any good would come from an enquiry. The House had heard nothing but suspicious allegation from the beginning to the end without a shred of evidence in support. The Government was asked to accept the position of an accused before even a "prima facie" case had been established against them. The Government could not accept the resolution, reasonable though it might appear to the unthinking mind. The Government had really nothing to conceal and regarding what they did for the evacuation of the sick and the wounded from Quetta.

Mr *Bhulabhai Desai*, winding up the case for the Opposition, said that the resolution had been drafted by himself though by ballot it fell on Mr Raju's lot to move it. He felt that the Government had read too much into it. It contained no charge and no insinuation. Why then did the Government members talk like an accused? Was that the case of a guilty conscience? It had been the practice of the Government to hold an enquiry after every great disaster like a famine so that its lessons would be learnt for the future. Therefore the resolution did not condemn the soldiers or the authorities. If the Government had a good case, they would be able to satisfy the committee. All possible assistance would have been given and no error of judgment could have occurred. But those who excuse themselves accuse themselves. Mr Bhulabhai Desai asked whether this was a fact, whether six thousand soldiers were enough for the work of extricating twenty six thousand. At that time voluntary help should have been taken. "Even sixty thousand could have worked (applause). People of Shikarpur had actually chartered a train with men and stores, but the train was cancelled and the soldiers were diverted to salvaging property in the civil lines and the cantonment. Mr Desai asked whether soldiers should not have been used for a number of days in excavating human lives instead of digging out Chinwara, even if there was a chance of saving one soul (applause). This diversion of the soldiers was grossly an atrocious act. The true issue was whether more men could not have been saved whether all available resources had been used for a higher purpose and the saving of human life.

Sir *Henry Craik* vigorously opposed the resolution. On an occasion when the worst disaster had occurred with such terrible suddenness resulting in stark horror they should have expected a resolution of sympathy to the sufferers and a single-minded desire to provide comforts for them. Indeed, the disaster had caused the sympathy of the whole of the civilised world, and called for admiration, but the Opposition here was out to discredit the Government and destroyed the Government's prestige in trying to exploit even the earthquake to political advantage on the basis of unfounded rumours and distortion of facts. Regarding the exclusion of political leaders, Sir Henry Craik pointed out that Mr Gandhi did not apply till June 8 and even if permission were given, the relief party could not have arrived till the eleventh and hence of no use. Mr *Rajendra Prasad* never made any suggestion that he should go to Quetta himself, but merely said that a relief party should be allowed to go there.

*Chaudhri Sir Zafarullah Khan* in winding up the debate announced on behalf of the Government. "The Government are not prepared to agree to an enquiry, but are ready to agree to appointment of an advisory or consultative committee to assist the authorities with regard to (a) the salvage of property and (b) questions connected with the resettlement of the civil population. The Government are further prepared to

extend the facilities to parties of members of the Assembly who may wish to visit Quetta (applause)

The Congress side moved for closure which on division was rejected by 57 votes

*Sir Cowasji Jehangir* said that the resolution contained dirty insinuation against the Army. He had never had the misfortune to hear a more atrocious speech than that delivered by the leader of the Opposition. It was unworthy of him and unworthy of the occasion. The resolution contained malicious insinuation against the British and Indian troops and the speaker would be no party to it.

*Mr Aney* strongly protested against the manner *Sir Cowasji* had attacked *Mr Bhulabhai Desai*. It was mischievous. He only hoped that *Sir Cowasji* would regret it in a calmer moment. *Mr Bhulabhai* had never meant to doubt the heroism of the Army, but his chief complaint was that rescue work was stopped on June 2 (official benches June 7)

*Dr Ziauddin* explained how difficult it was to expect anyone to be alive after three days dying under the debris

*Sir Mahomed Yakub* vigorously opposed the resolution and demanded praise for British and Indian soldiers, who rendered service during the earthquake at the risk of their own lives

*Pandit G B Pant* considered it unfair for the Government to imagine that the Congress were trying to exploit the earthquake for political advantage

The House then divided and the resolution was lost by 61 to 57 votes amidst loud cheers. The House then adjourned.

#### INDO-BURMA TRIBUNAL REPORT

**20th SEPTEMBER** —*Sir James Grigg* moved to day the consideration of the report of the Indo Burma Tribunal

*Mr Nixon* explained at length the entire case as he had been associated with this question. He said that the Burma Government had asked for "a neutral and impartial Tribunal" in order to deal with the question, probably on the ground that they wished themselves and the Government of India to be placed in a position of equality. The Round Table Conference papers contemplated association with the Tribunal of the members of the Standing Finance Committee, but the J P C report omitted reference thereto. Whatever the reason for this omission the fact was that when the Tribunal was set up the old Assembly was about to die and the new Assembly would not have liked the old members of the Standing Committee to be associated with the Tribunal and the new Committee could not have been elected until February. As regards the historical approach *Mr Nixon* showed how the method, firstly, of analysis of the debt, and, secondly, of the debtor and creditor had created insuperable difficulties in arriving at a settlement. In this connection he criticised the Congress Committee's report. He said finally that they had decided that the only method was the dissolution of partnership so well known to lawyers.

*Mr Gauba*, *Mr B Das* and *Mr Mathradas Vissay* moved various other motions proposing to reject the Tribunal's report.

*Mr Gauba* said that *Mr Nixon's* excellent address missed the main issue namely the Tribunal's report. The Tribunal did not consist of experts. It was constituted behind the back of India and Burma and had no confidence of and was a fraud committed on the two countries. In a matter like this, the historical approach was the proper course as had been adopted by the Congress Committee. *Mr Gauba* said that the Tribunal did not give reasons for fixing seven and a half percent ratio between India and Burma and their procedure regarding debt and mode of payment also was wrong. What was worse was that loans would hereafter be secured from the revenues of India alone, though they were raised on the security of India and Burma. Such a procedure was unknown in constitutional history. He finally said that Burma had been separated because British Imperialism wanted it.

*Mr B Das* said that India had no confidence in the Tribunal as it represented Britain only and Britain had a stake in the financial solvency of Burma. Burma had enjoyed full benefit of the customs and excise. So fictitious an adjustment of Burma's present contribution to the Central finances to eight per cent was entirely wrong. *Mr Das* insisted that Burma should pay part of the expenses of the India Office and a full share of the debt pensionary charges.

*U Thein Maung* upheld the view of the Finance Committee of the Burma Council and said that there should be no burden or liability on Burma who had till now paid India 187 crores in the shape of surpluses. As regards the ratio, if

calculated on the basis of revenue, it worked at four per cent, on the basis of population five per cent and on the economic basis six and a half per cent.

Mr. *Madhavadas Viswanath* said that Mr. Nixon had complained of the indifference of the public to his report. When he wanted it in Bombay it was not available. The Tribunal was continued in direct opposition to the opinion of the Indian legislature. Official representation in such a case was not enough. If non-official representatives were heard, the conclusions of the Tribunal would have been materially different.

Dr. *Ziswadi* also took the view that the historical aspect of the case should determine the question of decision. The question of allocation of military expenditure must also be decided along with the ratio and there must be a guarantee for payment of India's debt, either through the control of Burma's currency till the debt was raised or by making Britain stand surety. The debate was not concluded when the House adjourned.

#### COFFEE CESS BILL

**23rd SEPTEMBER**—When the Assembly met to-day *Sir Zafarullah* moved for consideration of the Coffee Cess Bill and said that though the bill provided a duty of rupee one per cent it was not proposed to impose more than a duty of annas eight in the beginning. The proceeds of the duty will be devoted for propaganda outside India. The bill also provided for appointment of a Cess Committee. Continuing, *Sir Zafarullah* said that he could not say exactly how many members of the proposed committee would be Indians and how many Europeans, but considering the fact that there were more Indian planters and they had a large area under plantation there should be a large number of Indian representation on the committee which might reach fourteen against six Europeans. His own view was that Indian representation would not be less than twelve as against eight Europeans.

*Pandit Nilakantha Das* moved that the Bill be circulated for eliciting opinion thereon by January 15. He said that the Government's own statistics showed that coffee planting had increased very little during the last fifteen years and there was not much scope for future expansion.

Mr. *Miligan* said that the coffee industry had been going downhill. The Bill proposed a solution and the House should reject the arguments of Mr. *Nilakantha Das* who was opposed both to tea and coffee drinking. He did not think that any section of the House shared those views. Voice—“We do” (Laughter). Mr. *Miligan* assured that no coffee planter had made fabulous wealth. He knew from the experience of tea propaganda that the masses in the south drank coffee and were paid coffee money by those who engaged their services. Ninety-eight per cent of the coffee-growers supported the proposal for the Cess Committee.

Mr. *DeSouza*, speaking on behalf of the coffee growers, asked the House whether they would be indifferent to the industry in which was invested ten crores of rupees of which more than a half was Indian capital and which provided employment to one hundred thousand. It also helped India's trade balance by exporting two crores worth of coffee.

Mr. *A. Chettyar* said that he would not press the motion for a Select Committee if guarantee was given that the provincial governments nominate on the Cess Committee would be Indians.

*Sir Zafarullah Khan*, Commerce Member, replying to the debate said that he did not drink alcohol or coffee and had had a good deal of sympathy with the point of view of *Pandit Nilakantha Das* and Mr. *Ayyengar*, but it was impossible for three sane men to convert the whole insane world to their view (Laughter). He gave figures to show how the exports to the United Kingdom had come down to a third during the past four years and to France down to a half. The industry was not in a flourishing condition and as a result of the cess the small planter would benefit even more than the bigger planter.

The House rejected both *Pandit Nilakantha Das's* motion for circulation and Mr. *Chettyar's* for Select Committee and took the Bill into consideration.

*U Thein Maung* moved an amendment proposing the inclusion of Burma in the scheme. *U Thein Maung's* amendment was rejected.

*Sir Zafarullah Khan* assured the mover that it was not with a view to playing a trick on Burma that she was excluded from the operation of the Bill.

The Bill was then passed.

#### A DIVORCE BILL (CONTD)

*Sir N N Sarsar* next moved consideration of the Jabulpur Chhatrasagar Divisions (divorce proceedings validation) Bill which proposes to remove doubts and validate certain proceedings of the Allahabad High Court.

*Mr. Sympson* moved reference to a Select Committee. The motion was defeated. The Bill was being proceeded with clause by clause when *Sir N. N. Strachan* said that the leader of the opposition had mentioned certain points which might require an amendment of clause two. The matter was accordingly postponed. The House then adjourned.

#### REPEAL OF CRIMINAL LAW AMEND ACT 1908 (CONTD.)

**24th SEPTEMBER**—The Assembly met to day in order to continue the debate on *Mr. B. Das's* Bill to repeal the Criminal Law Amendment Act, 1908, and to consider other non-official Bills.

*Mr. N. C. Bardoloi*, supporting the Bill, said that the laws were being abused in Bengal by the Executive and the Police.

*Sir Henry Craik*, Home Member, rose to contradict "certain ex parte and wrong statements." *Mr. Sham Lal's* speech, he said, contained misrepresentations and distortion of facts and he had grossly exaggerated the charges against officials. *Mr. Sham Lal* had said that the terrorist movement in the Punjab started after the assault on *Lala Lajpat Rai* on October 13, 1928.

*Mr. Sham Lal* interrupting:—"It was the statement of the approver."

Continuing, *Sir Henry* said that the approver referred to was *Indarpal*, who had plotted murder and who was now undergoing transportation for life and who, in order to save his own skin, had implicated his own associates. That was the source of information of his hon. friend.—(Laughter) The hon. Member had forgotten two terrorist acts—the bomb explosions during *Dusseerah* in 1926 and in 1928. Had the Hon. member not grasped the facts, *Sir Henry* asked, that long before 1923, *Bhagat Singh's* gang were in existence and that this very gang were the direct descendants of the gang which had committed a dacoity in the United Provinces in 1925?

Proceeding, the Home Member said that the second premise of *Mr. Sham Lal's* speech was that on October 13 *Lala Lajpat Rai* had been assaulted by the police at Lahore. An enquiry was held by a senior official of the Punjab, who found that the crowd had deliberately placed political leaders at the head in order to force their way through the police barrier. The crowd came into contact with the police and a sergeant was knocked down. The crowd were pushed back and a lathi struck *Lala Lajpat Rai* who however was not hurt. (*Mr. Sham Lal*: "A deliberate lie.") Continuing, *Sir Henry Craik* said that *Mr. Sham Lal* had narrated the incident relating to the approver being kept in custody. The approver was detained in the fort, for, being a member of a dangerous gang, he was liable to be killed at any moment or induced to retract his statement to the police. The defence in the conspiracy case had made an application to the tribunal for his transfer to the judicial lock-up. He was, accordingly, transferred to jail after special arrangements for his detention in safety had been made. *Sir Henry* added that the conspiracy case in the Punjab was connected with six simultaneous terrorist outrages. This conspiracy stood unparalleled in the history of terrorist crime in India in its revolutionary ingenuity. Two police officers had been killed, two wounded and one was blinded for life, and yet *Mr. Sham Lal* called it a "fabricated case." (*Mr. Sham Lal*: "Fabricated evidence.")

*Sir Henry Craik* maintained that *Mr. Sham Lal* had omitted to tell the House that an overwhelming majority of the accused were convicted in the case, and that the Court had declared that the magistrates and police had not implicated innocent persons or made any forgeries (applause). *Mr. Sham Lal* had alleged, declared *Sir Henry*, that 75 per cent of the police and C. I. D. were corrupt and had committed forgery and perjury. This, remarked the Home Member, was fantastic, and it was incorrect to say that any police officer was promoted or had received a little because of the case. "Let not those who live in glass houses throw stones at others" the Home Member added.

After a certain statement by the Home Member, *Mr. Satymurthi* raised a point of order that no member could make a personal charge against another and this was upheld by the president. *Sir Henry Craik* responded that serious allegations had been made against him, and he was only speaking in self-defence.

Continuing, the Home Member read a letter from a friend who, he alleged, had written to *Mr. Sham Lal* (who had acted as counsel in the case) making certain allegations.

*Mr. Sham Lal* was heard to say: "The man was prosecuted for giving false evidence and the case was withdrawn by the Crown. (Opposition: "Shame. Shame.")

*Mr. Satymurthi* asked if a member could make such personal charges and insinuations, and a ruling was sought by several members.

The President urged the members not to be disorderly and said that a personal charge could not be made by one member against another. But a member was perfectly entitled to defend himself and to say that member had made reckless charges without evidence.

Sir Henry Craik, continuing, said that Karamdin, one of the witnesses, had admitted to court that he had been asked to commit perjury. The reason why the Government did not produce evidence against the defence counsel for alleged professional misconduct was that the case, which had already proceeded for such length of time at the cost of a larger sum, would be considerably delayed as the trial would have to be gone through again with new defence counsel. Continuing, Sir Henry Craik said that if the kind of case the Congress had was made out by Mr Sham Lal then it was a very poor case, indeed (Official applause).

Mr Amarendra Nath Chatterjee said that the cult of the bomb had been given birth to by the Government's policy and he refused to call these men murderers. He claimed that Mr Gandhi's non violent movement had changed the minds of the youths of Bengal. He then read extracts from the Midnapore Inquiry Committee's report, presided over by Mr J N Basu, in order to show that the Government were to blame. So long as these laws, he said, stultified the Statute Book, there would be no conciliation.

Mr Bhulabhai Desai said the Government often created a scare, and obtained support of the Legislature for such acts, which in reality were for the suppression of national life. The Act of 1908 was pernicious in its operations and atrocious in the work it did. Even associations for prayers had been declared unlawful. The words "assist in the operations of any such association" had been put to uses to which even the courts of law had become ashamed. The speaker referred to a meeting announced to be held under the auspices of the Bombay Congress Committee, which had been declared unlawful and said that a newspaper of moderate persuasions published a report that the meeting would be held while the Commissioner's notification banning the meeting was also published in the same issue. Yet the editor of the paper had been brought under the operations of this Act for "assisting the operations of an unlawful association." Proceeding, Mr Desai referred to the personal charges brought against Mr Sham Lal by the Home Member, and said that it was an abuse of the privilege of the House. Entering an emphatic protest against the action of Sir Henry Craik, Mr Desai said that if the Opposition had used some such document against the Home Member, the latter would have protested against it as infamous. The Home Member had said that the Government did not take any action against Mr Sham Lal in order to save expenses. The fact of the matter was that in this case the judge had complimented counsel on both sides on presenting the case with a mastery of detail and with a fairness (Unofficial cheers.) As for the Act itself, Mr Desai said that it deserved to die because it was detrimental to the national cause.

Mr B Das briefly replied and the House, by 65 votes to 60, carried the motion for consideration, amid non official cheers.

The consideration of the Bill, clause by clause was then taken and clause 2 was put.

Mr P J Griffiths said that the speeches of Mr A. N Chatterjee and Mr Bardoloi were only meant to vilify the Government. One of them had stated that the Government knew when the Dacca communal riots would flare up, and in spite of this no warnings had been issued. He (Mr Griffiths) was living in the bazar itself and had the Government known of the affair they would have warned him and he would have immediately left his bungalow. Then the police, continued the speaker, were accused of inactivity when the riot was proceeding. The total length of the police at Dacca, which had 60 miles of roads, was 200 men, or four men for one mile of the road. Rioting broke out in every locality. How then could four men control the situation in a mile long locality? The Assam member had asked what were the European community doing at that time, continued Mr Griffiths. Almost without exception every non-official European in Dacca or in the neighbouring towns offered himself as special police constables (Official applause).

The member had said that non official Europeans had assaulted many Congressmen and had asked if any Congressman was convicted for assaulting Europeans. His (the speaker's) reply was in the affirmative. There were 189 such cases. Lastly, said Mr Griffiths, Mr Chatterjee had made certain allegations against the troops. A letter, the speaker added, had been written to Mr Chatterjee asking for further details of this alleged incident, but no reply had been received.

Mr *Chatterjee* denied that he had received the letter. Sir *N N Sircar*, Law Member, explained that he sent the letter by a peon. At this stage the President asked Mr *Griffiths* to confine his speech to clause 2, whereupon Mr *Griffiths* resumed his seat. Sir *Dowry Jehangir* opposed the clause. He said that not until some other Act was put on the Statute Book to deal with the increasing evil of Communism, should this clause be passed. At this stage Sir *Henry Crick* asked for a ruling from the President whether the member was in order to discuss the principle of the Bill. After hearing all sides the President promised his ruling and adjourned the sitting.

**25th. SEPTEMBER**—There was a thin attendance when the Assembly met to-day in order to transact official business.

After question hour Sir *Muhammad Zafrullah Khan* laid on the table the report on the working of the scheme of preferences resulting from the Ottawa Agreement for 1934-35.

The Bill removing certain doubts and validating certain proceedings of the High Court of Allahabad was passed after drafting an amendment moved by Sir *Lancelot Graham*.

#### CANTONMENTS BILL

Mr *G R F Tottenham*, Army Secretary, moved that the Bill amending the Cantonments Act, 1924, as reported by the Select Committee, be circulated.

#### SUPPLEMENTARY GRANTS

The House then took up voting on demands for supplementary grants for 1935-36. Sir *James Grigg* moved that a sum not exceeding a thousand rupees be granted for expenditure on the development of civil aviation.

Mr *Asaf Ali*, moving a token cut, complained that money was spent on the construction of aerodromes extravagantly without any benefit to India and that foreign air companies such as Imperial Airways and K. L. M. mainly took the advantage.

Mr *Clow* said that the Government would bear in mind the desirability of avoiding every possible case of extravagant expenditure. Aviation was admittedly an expensive matter at present, but he did not doubt that it would develop and India would reap in various ways a tangible harvest in the years to come.

After Mr *S Satyamurti* had also spoken the demand was granted.

When the grant relating to broadcasting was moved Mr *Satyamurti*, Mr *Ayyen gar*, Mr *Aney* and Prof. *Ranga* addressed the House.

Mr *Satyamurti* suggested that broadcasting should be used for political propaganda in the same way it was done in England by giving all parties a chance to broadcast.

Mr *Clow* replying said that the conditions here were different from England where broadcasting was controlled by a company, while in India it was a Government Department. However, the present decision was not for all time. It could be changed when conditions necessitated. The demand was granted.

#### DELIMITATION COMMITTEE GRANT

Discussion next arose on the Delimitation Committee grant.

Mr *Satyamurti* attacked the Madras proposal for single non transferrable votes in plural constituencies and characterised the Madras Government's proposal as against the spirit of the Poona Pact.

Sir *N N Sircar* replied that all questions were open for consideration by the Hammond Committee. He suggested that those who wished to upset local Government's scheme should submit their case before the Hammond Committee. He assured that the federal part of the Hammond report would be placed before the House, but could not guarantee discussion on the provincial part, mainly because such a pledge might delay the inauguration of the provincial constitution.

Mr *Bayana* complained of inadequate commercial representation from Bengal in the federal assembly.

Pandit *G B Pant* read in the proposals a design to prevent Congressmen entering the legislatures and wanted the Government of India to examine the provincial proposals minutely before submitting them to the Hammond Committee.

Mr *Satyamurti* withdrew his token cut. The House then adjourned.

**26th SEPTEMBER.**—The House took up to-day voting on supplementary demands for grants for 1935-36

Mr *S Satyamurti* moved a token cut to the demand for one lakh and eighty-three thousand rupees in respect of 'miscellaneous'. He explained at the outset that the motion was not meant to be a hostility, but a mere intellectual curiosity, towards the proposed financial enquiry by Sir Otto Niemeyer. He asked why certain sections of the Government of India Act relating to Indian States were not included in the scope of the terms of reference. This enquiry and several previous enquiries, said the speaker, reached gloomy conclusions as regards Central and provincial finances and for that reason Sir Otto's enquiry should have been wider. The J P C found that there were no provinces where the sources of revenue were likely to be sufficient to meet any reasonable standard of expenditure of a civilised Government. The Percy Committee had also come to similar conclusions. That being so, how were the Provincial Ministers going to run the administration, particularly when they were debarred from touching the salaries of Civil Servants? The proposed committee, with restricted terms of reference and with limited time at its disposal, would lead India nowhere.

Dr *P N Banerjee* suggested that the first reasonable question of such complexity and importance should be referred to a single man, especially when the question had baffled several committees in the past. Two heads were better than one and three better than two. He suggested that the enquiry should be entrusted to two Indians and one European but did not agree with Mr Satyamurti that financial matters concerning the States should be referred to this committee.

Sir *James Grigg* replied that the question must be approached from three stages, the first, referring to provincial autonomy, the second to the inception of the Federation and the third to events after the Federation. Mr Satyamurti had taken a pessimistic view by grouping all the facts which naturally showed a most unbalanced balance sheet, but the fact was that various liabilities were to be met one after another.

As regards Dr Banerjee's point, the Finance Member did not say that there were not any capable Indians, but if any were associated with Sir Otto Niemeyer they would have belonged or would have been thought to belong to a particular section or interest. (Opposition murmur) Sir Otto Niemeyer's main purpose was to consider questions germane to provincial autonomy and, speaking from twenty years' personal knowledge of Sir Otto, the Finance Member was of opinion that no more impartial and capable a person could have been found to do the job. (Applause)

Mr *Satyamurti* withdrew the motion for a token cut.

#### INDO-BURMA TRIBUNAL REPORT

The debate on the Indo-Burma Tribunal's report was next resumed.

Mr *Bayarja* supported Mr *Mathradas Vissani's* amendment for a fresh impartial tribunal and made a series of points demanding investigation.

Pandit *Govindballabh Pant* moved an amendment wanting the Tribunal's report to be rejected 'as among other reasons no non-official representative of India or Burma was associated with the enquiry and in as much as the terms of reference was too narrow and in that the appointment of the burden was restricted to India and Burma alone'. Pandit Pant said that Mr Nixon showed a mastery of the subject, but made a mistake of straying into the political arena. Defining his personal view on the subject, he said that if India were independent, he would even forego all claims against Burma for he valued goodwill more than rupees. (Applause) India's position was that eighty per cent. of Indian finances would be under British control even under the new constitution. Thus it mattered little for India whether a crore or two was charged to India more or less. The fact was that the master of the two States had chosen to keep two different books of account. Pandit Pant did not agree with Mr Nixon's theory of dissolution of partnership, but the real analogy between India and Burma was that of the break up of the Hindu joint family. He said that the Amery Tribunal was not competent to do the job and had made dogmatic assertions without giving facts and arguments.

Dr *P N Banerjee* said that Britain's financial liability could not be overlooked because of separation of Burma. India's case could have been presented better if an India's representative had been on the Tribunal. The investigation had been in a hole and corner fashion, hence the report contained grave defects and should be rejected in toto.



*Sir H P Modg* said that strong opinion had been expressed which should be forwarded to the Secretary of State so that in regard to the remaining important questions like the application of the principles enunciated by the Tribunal care should be taken to see that Indian non-official opinion was represented.

*Sir James Grigg* briefly commented on the speeches made and said that the debate would be forwarded to the Secretary of State and the Government would remain neutral if there was voting on any amendment. The House had no new contribution to make on the specific problem laid down under the Government of India Act except advocacy of historical approach to the subject.

The comprehensive amendment of Mr *Mathradas Vassani* for another enquiry with Indians on it was carried without division, the Government remaining neutral.

#### NEW OFFICIAL BILLS INTRODUCED

The following non official bills were then introduced —Rao Bahadur M. C. Raja's Bill to provide for removal of social disabilities among certain classes of Hindus. Dr. Deshmukh's Bill to amend the Hindu Law governing Hindu women's right of property. Dr. Khare's Bill to recognise and remove doubt as to the validity of inter marriages current among Arya Samajists. Dr. Bhagavandas's Bill validating marriages between different castes of Hindus. Mr. B. Das's Bill to amend the Child Marriages Restraint Act and Mr. Abdullah's Bill to make provision for application of Moslem Personal Law (Shariat) to Moslems of British India.

The Finance Member moved that the report of the Public Accounts Committee on accounts 1933-34 parts one and two be taken into consideration. The discussion was allowed to stand over till the Delhi session.

The President then adjourned the Assembly *sine die*

# The Bengal Legislative Council

Monsoon Session—Calcutta—29th July to 28th August 1935

The monsoon session of the Bengal Legislative Council commenced in the Council Hall, Calcutta on the 29th July 1935 under the presidency of the Hon *Raja Sir Manmatha Nath Rai Chaudhuri*.

The Council condole the deaths of Raja Rishi Case Law, Sir Arehe Birkenmyre and Mr R. B. Laird, all ex-members of the Council.

The Council next passed on the consideration of non official business

## ABOLITION OF POSTS

*Moulvi Abul Kaseem* moved that the posts of Assistant Director of Mohammedan Education and the Assistant Inspectors of Schools for Mohammedan Education be forthwith abolished.

In moving the resolution the mover explained that it was not his intention that these posts should be abolished. What his grievance was that these posts should justify their existence. He complained that the original intention with which these posts were created, that is, to look after the difficulties that were found in the way of Muhammadan education in Bengal, had not been carried out.

Replying, *Khan Bahadur Aswani Haque*, Minister of Education, referred to the report of the Advisory Committee on Muhammadan Education of which the mover was a member. That report did not contain any recommendation suggesting the abolition of these posts. The Hon'ble Minister asked the mover to realise that these special officers had, apart from their work in the general department, to look after the Madrasahs and Muktabas. The resolution was withdrawn.

## ADMINISTRATION OF CO-OPERATIVE DEPT

Mr *N K Basu* moved "This Council recommends to the Government to appoint a committee forthwith consisting of a majority of non-officials to enquire into the administration of the Co-Operative Department and the appointment of officers therewith." In moving the resolution, Mr Basu said that there was no question to-day which was of great interest and importance than the question of the administration of the Co-operative Societies in Bengal. The co-operative system was introduced in India a little more than thirty years ago with the highest hopes. But what had been the result of thirty years administration of this system?

It was trite knowledge, proceeded Mr Basu, that Central Banks has been unable in many cases to give the depositors back their money, it was trite knowledge also that these banks, both central and rural, had given credit where no credit ought to have been given and despite the economic depression the position would not have been so bad as it was to-day if there had been proper supervision by the Department.

Proceeding Mr Basu said that the Co-operative Department was the least cared for department of the Government. When the permanent Registrar of the Department fell ill, his personal assistant was pitchforked into the position—and that in spite of protests by several members of this house—a gentleman who rather by education nor by training of capabilities was fit to hold that post. In conclusion, the speaker urged the appointment of a committee to go into the working of this Department.

The Hon'ble Nawab *K G M Farooq*, Minister-in-Charge of the Department said that in recent years, the Co-Operative Department had formed the subject of enquiry by more than one Committee. The more important recommendations had been accepted and incorporated in the policy of the Department. The Minister pointed out that the worldwide economic depression had affected the movement not only in this but other provinces as well.

The debate on the resolution had not finished when the Council adjourned.

## TWO BILLS PASSED

**30th JULY**—Two Bills, namely, the *Bengal Land Revenue (Interest) Bill*, and the *Calcutta Municipal (Amendment) Bill*, were passed into law by the Council to-day.

The Bengal, Agra and Assam Civil Courts (Bengal Amendment) Bill, 1934 was referred to a select committee consisting of 12 members and the Bengal Village Self Government (Temporary Provisions) Bill was introduced.

#### BENGAL, AGRA & ASSAM CIVIL COURTS (AMEND) BILL 1934

In moving that the Bill be referred to a select committee *Sir B. L. Mitter* said that the Bill in question had been previously circulated for eliciting public opinion thereon and received a considerable amount of attention at the hands of the public. The main purpose of the Bill was to relieve congestion in the courts of the Subordinate and the District Judges by increasing the judicial jurisdiction of the Munsiffs. The congestion in the courts of the Subordinate Judges was so great that people often had to wait indefinitely to get justice done to them. In order to improve this state of affairs Government were trying to put into practice the recommendations of the Civil Justice Committee.

As regards the apprehension that additional powers thus proposed to be conferred on the Munsiffs would prejudicially affect their judicial capacity, the Hon'ble Member considered it to be a serious matter but he would leave it to the Select Committee. Another apprehension raised was that by saddling the Munsiffs with these additional powers, the tendency might be to reduce the number of Subordinate Judges. There was no ground for this apprehension however.

Opposing the reference of the Bill to the Select Committee, *Mr N. K. Basu* said that he was one of the co-opted members of the Civil Justice Committee and he was aware of the limitations that had been imposed on that Committee. His submission was that in trying to relieve the Munsiffs the Government would be throwing a burden upon the Munsiffs which they would be hardly able to bear. The effect of the working of this Bill would be that there would be a tremendous congestion of work in the courts of the Munsiffs. A panacea for the civil congestion, in his opinion, would be the appointment of more judicial officers.

The Bill was referred to a Select Committee as stated.

#### BENGAL LAND REVENUE (INTEREST) BILL

The Bengal Land Revenue (Interest) Bill was then taken into consideration and passed into law.

The object of the Bill was to put in an unambiguous language the intention and the validity of the levy of interest since January 19, 1933 when the Bengal Land Revenue Sales (Repealing) Act came into force. The object of this previous Bill was to remove the bar imposed against the levy of interest on arrears due by estates in charge of the Court of Wards or other estates the sale of which was prohibited by law. Since January 10, 1933 interest has been charged on arrears of land revenue due from such estates. A question having been raised that the terms of the Act were not sufficiently clear it was thought expedient to pass a short Act declaring in unambiguous language the said intention and validity of the levy of interest since January 19, 1933. The Bill provides that all such interest shall

(a) in respect of the period from the 19th day of January, 1933 up to the commencement of the Act be deemed to have been payable at the rates of 7½ per cent. per annum,

(b) in respect of any period after the commencement of this Act be payable at such rate, not exceeding 7 and a half percent per annum, as the Local Government may, by notification in the Calcutta Gazette, determine.

#### CALCUTTA MUNICIPAL AMEND BILL

The Calcutta Municipal (Amendment) Bill which aimed at better supply of filtered water in the bustees was also passed without a division.

Section 228 of the Calcutta Municipal Act, 1923 at present empowers the Calcutta Corporation to require an owner of any premises to obtain a sufficient supply of water provided such supply can be furnished from a main not more than 100 ft. distant from the nearest part of such premises. The object of the present Bill is to amend this section so as to give power to the Corporation to direct the owner to obtain a sufficient supply of water from a main situated within 200 ft. from the nearest part of the premises.

It appeared from the speech of the Hon'ble Minister of Local Self-Government that the Corporation had suggested 500 ft. in place of 100 ft. as in the Act. In view of practical difficulties involved Government could not accede to the proposal and a com-

promise was arrived at, the Corporation agreeing to the proposal of the Government. After the *Bengal Village Self Government (Temporary Provisions) Bill* had been introduced, the Council adjourned.

#### THE BENGAL DEVELOPMENT BILL

**31st JULY**—After nearly four hours' debate, the Council decided to take into consideration the Bengal Development Bill as reported by the Select Committee. A motion for recommittal of the Bill to the Select Committee was negatived by 68 votes to 39. Moving that the report be taken into consideration, the *Honble Khwaja Sir Nasimuddin* said that very few changes in substance had been made in the Bill by the Select Committee as to the intention of the Government in the matter. He said that he was in a position to announce that the Bill was passed in a workable form, the Irrigation Department would start during the next working season on a 3-year programme of contour survey in Western and Central Bengal at a total cost of over 2 lakhs, covering about ten thousand square miles.

He added that if the Bill was passed in a form which would allow Government to proceed with, the House need not doubt that schemes would be carried out under it.

Moving for recommittal of the Bill, several *non-official members* expressed the opinion that the Bill would remain a dead letter. While all welcomed a Bill of this character whose object was to provide for development of land in Bengal, they criticised the provision for imposition of improvement levy on works constructed. Specially they urged that such levy should not be made permanent, but should cease after the capital expenditure and other charges had been recouped.

One member (*Mr. Nasser Ali*) saw in this measure an attempt on the part of the Government to find out a new source of revenue in its bankrupt condition. He urged that this measure should wait until the real representatives of the people came in the next reformed Council.

At the direction of the President, the member withdrew the remark as it cast a reflection on the House. The Chair added that he could not allow the member to commit suicide by such remarks.

*Khan Bahadur Abdul Momina* stated that the provision that the levy might be permanent was objectionable. He appealed to the Member in charge to call an informal meeting of the members of the Select Committee to find out a solution on this question.

*Honble Sir Nasimuddin*, in reply, opposed recommittal of the measure and asked the House not to run away with the idea that this was a taxation measure. He emphasised that one of the fundamental principles of the Bill was that there should be no levy until there was profit made as a result of improvement work and no one would be called upon to pay levy until his condition was improved.

The future Government would be a responsible Government and future Ministers would be there to see that no injustice was done to anybody. This measure was not going to create hardship as far as the poor cultivator was concerned, and there was no reason to doubt that this measure would not be enforced in the manner as it was intended to be enacted. He assured the House that the intention of the Government was that when capital and other charges had been paid the amount of levy would be reduced to a figure with the approval of the Council. As stated, the motion was lost. The Council adjourned till the 5th. August.

**5th AUGUST**—The Council considered the Bengal Development Bill clause by clause to-day and disposed of a large number of amendments relating to clauses 1 and 2. Clause 1, which related to the title of the bill, its scope and the period since when the Bill is to come into force, was passed in the teeth of opposition by some of the members and the House had not finished the consideration of clause 2 when it was adjourned. The amendments to the bill numbered about 750.

Of the large number of amendments moved two were carried. Both of this referred to clause 2 which defined the meaning and scope of certain words used in the bill. The one, moved by the *Honble Member in charge* of the bill, was for the exclusion of fruit-gardens, orchards or homestead lands from the category of 'agricultural lands'. The bill, as it emerged from the Select Committee, stated that agricultural lands would include "lands used for the growing of vegetables and the like". The *Honble Member* by his amendment now provided that agricultural lands would not include "fruit-gardens, orchards and homestead lands." The effect of this would be that such lands would be exempted from the operation of the Act.

The other amendment which was accepted by the Government was that the word, "canal", meant a canal as defined in clause (1) of section 3 of the Bengal Irrigation Act. The mover was Rai Bahadur *Akshoy Kumar Sen*.

*Moulvi Abul Quasem* moved an amendment suggesting that the name of the proposed Act should be changed from "the Bengal Development Act" to "Bengal Land Improvement Levy Act".

*Mr. Saheb Shekharaswar Roy*, by an amendment, wanted to insert the word "tax" after the word development in the name of the Act. By adopting his amendment, the speaker said, the House would only be placing the measure in its true light. He contended that it was only fair that the people should know whether it was a taxation measure or not.

Both the amendments were lost. *Mr. Quasem's* amendment, on which division was called, was lost by 62 to 17 votes.

Another amendment of *Mr. Saheb Shekharaswar Roy* which suggested that the bill should come into force on such date as the Local Government may appoint "after December 31, 1937," was also lost.

An attempt by *Mr. Roy* to provide that improvement works should be undertaken by the Government only at the instance of a District Board and on the recommendation of the Bengal Legislative Council shared the same fate.

After some more amendments had been disposed of, the Council adjourned.

**6th AUGUST**—More than 70 amendments were disposed of to day, a few being carried, a larger number being thrown out and a still larger number not being moved at all. There were four amendments moved by the Government and they were all carried.

*Hon. ble Khwaja Sir Nazimuddin*, member in charge of the Bill, moved a short notice amendment which aimed at exempting non agricultural lands from the operation of the Act by omitting the words "or the profits from any land not used for agricultural purposes" from clause 3 of the Bill.

In moving the amendment the *Hon. ble Member* said that the task of assessing non-agricultural lands would be a heavy task and there was the apprehension that the money derived from a levy on such lands might not be commensurate with the expenses incurred.

Opposing the amendment *Mr. N. K. Basu* said that he saw no reason why, with improvements, non agricultural lands would not yield a considerable revenue. The amendment had been brought forward, *Mr. Basu* contended, in the interest of a small section of the people, namely, the landlords of Bengal. He failed to understand why this particular class of people should be exempted from paying any levy, and condemned Government's undue solicitude for their interests.

Replying *Mr. Townsend* said that there was nothing iniquitous about the amendment and there was no conspiracy to put money into the pockets of the landlords.

The amendment was carried by 67 to 13 votes.

After the adoption of clause 5 of the Bill, the *Hon. ble Member* moved that for clause 5-A of the Bill the following be substituted.

No expenditure shall be incurred for the construction of any improvement work in respect of which the local Government intends to impose an improvement levy and no improvement levy shall be imposed in respect of any improvement work unless the Bengal Legislative Council has, by a resolution, recommended, the imposition of an improvement levy in respect of such work, provided that nothing in this Act shall apply to the Damodar including the Eden Canal and the Bakreswar Canal.

Clause 5 A of the Bill read as follows.

When the local Government is satisfied that a notified area has benefitted from an improvement work it may, by notification, impose the improvement levy in that area from such date as may be specified in the notification.

Provided that an improvement levy shall not be imposed in respect of any improvement work unless the Bengal Legislative Council has, by a resolution, recommended such imposition.

Moving for the adoption of his amendment the *Hon. ble Member* said that in his amendment it had been made quite explicit that unless and until previous approval of the Legislative Council had been obtained, Government would not be in a position to launch any improvement work or impose any levy on improvements made. His amendment would make it necessary for the Government to come to the Council at an early stage for its approval to expenditure to be incurred in connection with improvement work.

Moving for the omission of the proviso from the amendment Mr *N K Basu* said that the object of the Government in inserting that proviso was to deny the Council an opportunity to debate upon the policy of the Government in regard to those canals. The Hon'ble Member, Mr Basu proceeded, had not vouchsafed them a single word of explanation as to why after the lapse of so many years since the construction of the Eden Canal, the Damodar and the Bakreswar canal should the Government seek to include them in the purview of the bill. The Damodar canal, had cost the Government over a crore of rupees about 50 per cent over the original estimate. They did not know how much of that money was really necessary for its construction or how much money had actually been spent. They knew, however, that if the proviso was carried, the people of that area would have to bear a heavy pecuniary burden,—the speaker did not know for how many years or how many generations—simply because Government had undertaken this project without consulting public opinion and had been extravagant in their expenditure. It was not right, Mr Basu contended, for the Government to come up with a proviso of the kind when they had not consulted public opinion in undertaking the project and carrying it through.

Replying Mr *H P V Townsend* Development Commissioner, went into the history of the construction of the canals to justify Government action and repudiated the charge of extravagance. The Government was not solely to blame for the scheme not coming up to expectation, the spathy of the people was to a large extent responsible for this state of affairs. Though there was water in the canals, people would not take it as they were loathe to make any payment. It could not be expected that Government would undertake big projects of irrigation and supply water to the people free of charge. No Government in the world did that.

The amendment of Mr Basu was passed to a division and lost 5 voting for and 53 against it. The amendment of the Hon'ble Khwaja Sir Nazmuddin with the proviso was carried.

Mr *J B Ross* then moved an amendment to clause (4) of the Bill, the purpose of which was to exclude "any work in respect of Roads or Railways" from the category of "improvement works".

Moving the amendment Mr Ross said that the definition given to "improvement work" was much too wide, and there was consequently a possibility of the provision being abused. It should be made very clear by the Government that they did not want to include railways in the category of improvement work. He apprehended that if the Government were so minded they might construct a road which ran through a tea garden and offered facilities for recruitment of labour and for bringing in stores, as an improvement work on that account and propose an improvement levy. So far as the present Government was concerned he had no apprehension. But he was not so sure as to how the state of things would be under the future Government to make their position absolutely clear as regards the railways and the roads for he said, he knew from his personal experience in the Calcutta Corporation how the wording of an Act could be made to read something quite different from what was originally intended.

Replying Mr *Townsend* said the Government would bring in a proposal which would meet the mover of the amendment half way. He proposed to replace the amendment of Mr Ross by the following proviso—"provided that no roads or railways constructed before the commencement of the Act shall be so declared." He requested Mr Ross to withdraw his amendment and accept his proviso.

Mr Ross was agreeable but the opposition led by Mr *N K Basu* did not give him leave. Sense of the House was taken, and by 44 to 37 votes leave was granted to Mr Ross to withdraw his amendment. The amendment was withdrawn and the provision suggested by Mr Townsend was carried.

Besides the above, some minor amendments moved by non official members suggesting verbal or technical alterations and a further amendment of the Hon'ble Member were carried.

**7th AUGUST** —Two amendments of the Hon'ble Member were carried to-day of which the first related to the circumstances under which an improvement levy could be imposed. After question time the Hon'ble Member moved

When the Local Government is satisfied that a notified area has benefited or is likely to benefit from an improvement work it may, by notification, subject to the provisions of sec 5A, impose the improvement levy in that area from such date as may be specified in the notification.

Sec 5A, provides that no expenditure shall be incurred by the Government for any improvement project undertaken by them nor any levy should be imposed in respect of such work without the approval of the Bengal Legislative Council.

The amendment was carried.

During the discussion of clause 6 of the Bill which related to the procedure to be adopted in preparing estimate of increased outturn of agricultural produce, Mr J N Basu moved that the estimate shall be based only on the value of the crop actually grown on the land.

Moving the amendment Mr Basu said that the intention of the Government was to reserve to itself the power to prepare the estimate for the levy not only on the basis of staple crops, but also on the basis of other crops grown by cultivators. This would cause a great hardship to the cultivators as in such cases the estimate was likely to depend on circumstances which were problematic. The Bengal cultivator was a fairly intelligent person and he knew which crop would pay him best and cultivate it. His amendment, if accepted would minimise difficulties.

Replying the Hon'ble Sir Khwaja Nazimuddin said that ordinarily the levy would be made on the basis of the staple crop grown in any particular area, but when other crops were grown and profits made out of them assessment might be made on the basis of those crops. If the cultivator was seen growing a crop other than the staple crop, the assumption in that case would be that it was more profitable for him to grow it, and there would be nothing wrong in assessing him on the basis of that crop.

The amendment was pressed to a division and lost by 49 to 27 votes.

Mr Satish Chandra Roy Chowdhury moved an amendment the purpose of which was to give powers to the Civil Court to question the accuracy of the estimate of the increased outturn of agricultural produce after its acceptance by the Local Government. Such powers are denied to the Court in the bill.

Moving the amendment Mr Roy Chowdhury said that in the day to day working of the Act over zealous subordinate officers of the Government might commit errors which need be rectified. The remedy provided in the Bill was that persons so aggrieved might appeal to the Commissioner of the Division or to the Board of Revenue. That was seldom practicable. He contended that the doors of justice should not be closed upon them.

Replying Mr H P Y Townsend said that sufficient safeguards had been provided in the bill. Provision had been made in the bill for filing objections and for their being scrutinised by the Board of Revenue. The Board of Revenue had been vested with the power to accept or reject any estimate. Ample safeguards had been provided at the outset so that there might not be any injustice done to anybody. The effect of the acceptance of the amendment by the House would be that anyone and everyone would be able to come up to the civil court and question the validity of any and every Government decision. There would be no end to litigation and a considerable amount of public money would be wasted for nothing.

The amendment was pressed to a division and lost, 24 voting for and 55 against it.

After the House had accepted clauses 6 and 7 and come to the consideration of clause 8 of the bill which dealt with the maximum limit and incidence of improvement levy on agricultural lands, the Hon'ble Member moved.

Notwithstanding anything contained in any other Act, the improvement levy shall, as regards agricultural lands within any notified area, be imposed at such rate or rates as the Local Government, may by notification, from time to time declare, and different rates may be so declared for classes of land of different descriptions or having different advantages.

Provided that any rate so fixed shall not exceed one-half of the estimated net increase resulting from the improvement work, in the profits or one-half of the net value of the estimated increase in out turn.

Such improvement levy shall be payable by the occupiers of such lands within the notified area.

Moving the above amendment the Hon'ble Member said that the fundamental principle of the bill was that there should be no levy until and unless there had been increase in outturn as a result of the improvements made. So in accordance with this principle no improvement levy could be imposed on non-agricultural lands unless and until owners of such lands actually reaped a benefit from them. The second principle implied was that levy could be imposed and realised on the first transaction of such lands, that is to say, when the owner of such a land sells it or lets it out to

somebody and makes a profit thereby. The Government found that if they stuck to these two principles it would be practically impossible for them to realise any money from the imposition of improvement levy. It was for this reason that they decided to exclude non agricultural lands from the operation of the Act. It was not possible for the Government in the present state of their finances to launch any big schemes of improvement if they found that they would be debarred from getting money out of these undertakings. Some of the schemes undertaken by the Government might be successful, while others might be failures. It was necessary under the circumstances that Government should be able to recoup a part of the expenditure at least, to make up for losses sustained from failure of some of their projects. There was much to do for the improvement of the purpose, but there was no money with the Government.

**8th AUGUST** —A number of amendments were moved to-day by different members making various suggestions as regards the amount of levy.

Mr *Tamizuddin Khan* for instance moved that in place of one-half the levy should be one third. Mr *Kushori Mohan Choudhury* moved that it should be fixed at one-fifth.

Mr *Munindra Deb Rasi Mahasani* moved that the rate should in no case exceed one rupee and four annas per acre of land.

Mr *Abdus Samad* moved that the rate fixed should in no case exceed the rent payable for the lands for which the levy was to be imposed.

Mr *Khetter Mohan Ray* by an amendment sought to provide that improvement levy should not be charged in any notified area for any particular year if the crops had been damaged by flood, or draught or insects or by any other causes so as to leave no increased profits to the occupiers of lands in such an area.

Replying the *Hon'ble Member* said that it was absolutely essential for the successful operation of the Act, if the House really desired the development of the decadant areas, that it should accept his amendment. A wide margin of 50 per cent was necessary to make up for losses resulting from the miscarriage of certain schemes. If they fixed the maximum at one third it might happen that the losses from unsuccessful schemes would not be made up and after a time Government might be compelled to give up all their projects of development for the simple reason that Government could not make them a perpetual burden on the provincial exchequer. Fifty per cent was a safety margin. If after the completion of any scheme it was found that it paid and that thirty three and one third per cent was enough for maintenance purposes and was leaving a margin for the capital expenditure, there was no reason why the levy should not be reduced to that figure. All the hopes that prompted the Government to come forward with this bill would be frustrated if the Council could not trust the Government and the legislature of the future. In the operation of this Act lay the future of the province.

The amendments were put to vote one by one and lost. Division was demanded on Mr *Tamizuddin Khan's* amendment which was lost by 63 to 33 votes.

The amendment of the *Hon'ble Member* was carried.

The *Hon'ble Member* then moved that after clause 8 the following be inserted, namely,

"In the case of any land the amount of improvement levy realised for any year—

(a) in respect of the Bakreswar Canal shall not exceed four rupees eight annas per acre, (b) in respect of the Damodar Canal and the Eden Canal shall not exceed five rupees eight annas per acre.

"Provided that in the case of any land which was irrigated from the Eden Canal in any year during the ten years prior to the first day of April 1935 such amount shall not exceed three rupees eight annas per acre.

The amendment was carried without opposition.

The *Hon'ble Member* then moved another amendment relating to the imposition of additional levy in certain circumstances to which an amendment was moved by Mr *N K Basu*.

**9th AUGUST** —As many as 15 clauses were disposed of in quick succession to day. This was possible for two reasons, firstly because the majority of amendments standing in the name of various speakers were not moved, and secondly because a number of clauses were omitted at the instance of the *Hon'ble Member* from the body of the bill. With the clauses being omitted the amendments relating to those clauses automatically fell. The clauses so omitted were 9 (with its complements) 11 A and 16 A.



The following amendments, all moved by the *Hon'ble Member*, were carried

8A (1) Notwithstanding anything contained in sec 8 or sec 8 1-A if in any notified area any unculturable waste swamp or sand has, as a result of an improvement work, become culturable land, and such land is thereafter settled with any tenant, the person who settles the land shall be liable to pay, in one sum, an improvement levy of such amount as may be fixed by the Collector, in accordance with rules made under this Act after considering any objection that may be made in the prescribed manner by such person

(2) The amount fixed under sub-section (1) shall not exceed one-half of the difference between

(a) the amount which the Collector estimates to be the usual salami at the time of the settlement for a like area of land of a similar description, and with similar advantages in the vicinity and

(b) the amount which the Collector estimates to have been the usual salami before the commencement of the improvement work for a like area of land in the vicinity, similar in its description and its advantages to the land as it was at that time.

Such levy shall be additional to levy payable under sec 8 by the occupier of the land.

(The above amendment is to replace clause 8A of the bill.)

8B When in respect of any improvement work

(a) the capital cost of such work including the cost of any extensions, improvements or modifications of the work (b) the interest charges on such capital cost (c) any working loss in any year or years, (d) the interest on such loss, as determined by the Local Government have been recovered in full out of the proceeds of the improvement levy, by such annual allocations as may be prescribed, the amount of the improvement levy to be realised for each year in respect of such work shall thereafter be reduced to such a sum as the Bengal Legislative Council may by a resolution recommend.

Provided that in respect of the Damodar, Eden and Bakreswar canals such sum shall not exceed the amount required to meet the cost, as determined by the Local Government, of maintenance and supervision of the improvement work and of collection of the improvement levy

(In the above amendment the expression "working class means the sum by which the proceeds of the improvement levy in any year or years fall short of the amount necessary to meet (1) the charge under clauses (a) and (b) and (2) the cost, as determined by the Local Government, of maintenance supervision of the improvement work and of collection of the improvement levy)

(10) The Collector shall, from time to time, prepare and publish in the prescribed form and manner for a notified area or any part thereof—(a) a statement in respect of agricultural lands and (b) a statement in respect of lands not used for agricultural purposes showing (1) the name of every person who is liable to pay the improvement levy in respect of any land in such area or part, and (2) the amount of improvement levy to be paid by each such person annually or otherwise, in respect of such land.

(The above amendment is to be substituted for clause 10 of the bill.)

Of the amendments mentioned above the first one was pressed to a division and lost by 54 to 29 votes

In addition to the above, some minor amendments relating to various clauses were also moved by the *Hon'ble Member* and carried by the House The House then adjourned till the 12th

12th AUGUST —The Council passed to-day the Bengal Development Bill without a division. When the House resumed discussion of the Bill, a number of amendments was moved by the *Hon'ble Member* and carried. An amendment was moved by Mr N K Basu that no improvement levy shall be paid by any person unless sufficient supply of water has been made available to him during the prescribed period. The *Hon'ble Member* opposed it and stated that throughout the Bill responsibility had been cast on Government to see that no injustice was done to the poor people and there was no reason why Government should not be believed in this respect as well. The amendment of Mr Basu was lost by 46 votes to 26.

Dr N C Sen Gupta moved for the deletion of the clause which stated that no suit shall lie in any civil court for compensation in respect of any injury, damage or loss resulting from an improvement work or from anything done under this Act. Dr Sen Gupta said that this was a preposterous clause and it was inconceivable that such a provision should find a place in a law in British India.

*Sir Nazimuddin* stated that it was no doubt true that power to grant compensation would rest on Government but that Government would be of the people, for the people and by the people, and therefore, there should not be any apprehension that injustice would be done on the poor people. Government did not want numerous civil suits as a sort of obstructive measures against improvement works.

The amendment was lost.

The following is an amendment moved by *Sir Nazimuddin* and carried -  
Notwithstanding any thing contained in the Bengal Tenancy Act, 1886 when an improvement levy has been imposed in respect of any agricultural land—

(a) the rent payable for such land at the time of the imposition of the levy or fixed thereafter in accordance with the provisions of clause (b) shall not be enhanced on account of—

(i) benefits derived from the construction of any improvement work, or

(ii) an increase in the productive powers of the land due to fluvial action,

(b) if a settlement is made of such land with a tenant thereafter, the rate of rent at which such land is settled shall not exceed the average rate of money rent payable at the time of such settlement by tenants of a similar description and with similar advantages in the vicinity, and any rent in excess of such rate shall not be recoverable.

Provided that such average rate may be exceeded on the grounds specified in clause (b) or clauses (c) of section 30 of the Bengal Tenancy Act, 1886, by such amount as would be allowable in a suit for enhancement of rent under the said section if the land had been settled with a tenant at such average rate at the time of the imposition of the levy.

A stipulation in any contract by which a tenant taking settlement of such land agrees to pay any amount in excess of such rent, otherwise than as 'salami', shall not be binding on such tenant to the extent of such excess."

#### DELIMITATION OF CONSTITUENCIES

**14th AUGUST**—The Council considered to-day the special motion of the Hon'ble *Mr R N Reid* relating to the delimitation of constituencies and had not come to its decision when the meeting adjourned. The special motion read as follows—

"The Council takes into consideration the proposals of the Government of Bengal on the delimitation of constituencies for the Bengal Legislative Assembly and the Bengal Legislative Council under the Government of India Act, 1935 and the Report of the Provincial Advisory Committee on the Delimitation of Constituencies, 1933-34, and recommends that the proceedings be forwarded to the Delimitation Committee for their information."

Moving the above resolution, the Hon'ble *Mr Reid* said that the purpose of the motion was to give the members of the Council an opportunity to discuss the proposals of Government on the delimitation of constituencies for the Bengal legislature under the reformed Constitution. Government had given the widest publicity to the Memorandum containing their proposals and invited public criticism. The public had freely responded to the invitation and the speaker was glad to say that many members of the House had also sent in their views. The criticisms would first be examined by the Provincial Advisory Committee and would ultimately find their way to the Committee to be presided over by Sir Laurie Hammond. Government intended to forward the discussions on this motion in the Bengal Council as well as the written criticisms which had been so far received by them for use of the Hammond Committee. By this procedure the Delimitation Committee would be placed in possession of ample material on which to gauge public opinion on the proposals of provincial governments.

The Provincial Advisory Committee, the Hon'ble Member proceeded, which was practically a committee of this House, completed its work long before the New Constitution was passed, in March, 1933, but the basis on which it worked, namely, the White Paper combined with the Communal Award, remained substantially unchanged in the New Government of India Act. Some of the members of the House who are also members of the Advisory Committee might feel difficulty about expressing their views there as the Advisory Committee would soon be holding its sittings. But the Hon'ble Member did not think that there was any real need to feel any such reluctance inasmuch as the proceedings of the discussion would be forwarded to the Hammond Committee independently of and supplementary to the proceedings of the Advisory Committee.

Proceeding the Member Hon'ble reminded the House that they were not discussing the Communal Award. The Council had already devoted time and care to that question, but at this stage we have to accept the allocation of seats as prescribed in the new constitution, and our purpose should be to see that the actual constituencies that are to be made are best devised to serve the interests of the electors. "Many members will no doubt desire to speak," concluded the Hon'ble Member, "and I think it would be to the general advantage if members were to refrain from reopening those communal questions which have to be regarded as settled for the time being in the New Act."

Initiating the debate Mr J N Basu deplored the injustice done to the city of Calcutta from which constituency two seats had been taken away. Six seats had been allocated to Calcutta since 1921, but the present proposals of Government were doing to rob Calcutta of two of its seats. He did not like that either urban or rural constituencies should be deprived of the seats which had been allotted to them in favour of Calcutta but suggested that the number of the additional seats should be revised for the purpose. Regarding the representation of women, Mr Basu said that women should be returned by the joint constituencies of men and women.

Rai Bahadur Keshab Chandra Banerjee strongly deprecated the proposal to give one seat to the Moslem Chamber of Commerce. The Rai Bahadur said he had looked in vain for an instance in the constitutional history of any part of the globe where a majority community had been given weightage and reservation of seats as proposed in the Award. He was all the more amazed to find that not satisfied with that arrangement Government proposed to allot one more seat to the majority community from a special constituency in contravention of all sacred canons of political science. In all the commercial associations such as the Bengal National Chamber of Commerce, the Bengal Mahajan Sabha, Moslems were fairly represented.

Dr Naresk Chandra Sen-Gupta said that looking at the scheme of the Constitution now finally worked out it was easy to see at a glance that while every class or community would look up to the great intelligentsia of Bengal who had made India what she was to-day, who had by their unremitting endeavours for about a century succeeded in welding a medley of warring nations and communities into one Indian nation, who had shown the most wonderful aptitude for absorbing the latest in the thoughts of the world and making not inconsiderable contributions to the literature, science and art of the world and who incidentally had made themselves a nuisance to the Government by their insistence on becoming a free nation,—this intelligentsia was made an outcaste and a pariah who would have no chance of having a voice in the working of the Constitution.

"Sir, I am bold to say," proceeded the speaker, "that in the constitution now framed and finally worked out by the Delimitation Committee, these men Hindus, Mahomedans and Christians alike, who have created and maintained the political-mindedness of the people, will be nowhere. You may take it that the 111 rural Mahomedan seats and the one hillman seat, the thirty seats for the depressed classes, not to speak of the 25 European seats, will not be available to the politically minded nationalists. Hindus and Mahomedans, and the situation will probably be worse."

Sir, I refuse to believe that this is an accidental consequence of an honest desire to provide adequate representation for all classes. It is the result of a deliberate policy, most indastriously worked out by the present British Government whose object is not reforms, nor representative government, but to make it impossible for nationalist India to have a foothold at the Councils of the Empire. This means that the political progress of Bengal will be regarded and possibly come to a deadstop for years to come. It means that the classes to whom politics has been so far a matter of indifference will have to learn by years of endeavour before Indian nationalism again disturbs the tranquility of the British Raj. But I am sure even this device will not answer for all time. The message of nationalism will go forth and very soon permeate the lives of the very classes whom the Government have thought fit to advance, in the confidence in their backwardness, and a day will come, sooner rather than later, when the trumpet voice of nationalism will be heard from the many mouths of the monster which has been thrust upon us and then the demands of the people will be far more difficult to resist than the Government find now.

In that hope and in the fullest confidence in the ultimate good sense and the solid worth of my countrymen, Hindus, Moslems and Christians, rich, poor and middle-class, capitalists and labourers alike, I shall yet look forward for a brilliant future for our countrymen.

*Maulvi Nawaz Ali* admitted that great injustice had been done to Bengal by the division of the people into watertight compartments on artificial principles. It was not deliberately done with a sinister motive by the British Government. There was no gainsaying the fact that the people of Bengal were mainly responsible for it. They had brought it upon themselves by their failure to arrive at an amicable settlement of the communal problem. The demand for separate electorates by Muslims in Bengal where they formed a majority was an admission of their inferiority and he failed to understand their logic.

**15th AUGUST**—The proposals of the Government came in for trenchant criticism at times to day and the monster of communalism raised its head now and again, unawares oftentimes, in spite of the ruling of the Chair and the warning given at the outset by the Hon'ble Member that the members should not think they were discussing the Communal Award.

Speaking on the motion *Khan Bahadur Abdul Momin* said that distribution of seats had to be made in water-tight compartments on the basis of the Communal Award which itself had not satisfied all. In addition to that the powers of the Advisory Committee were limited. It was natural under the circumstances that the distribution could not satisfy all. But that the recommendations of the Committee had been satisfactory would be evident from the fact that the Government had seen their way to accept them. Replying to the objection taken by certain members in regard to the representation granted to the Moslem Chamber of Commerce, the Khan Bahadur said that the Chamber occupied a unique and distinct position in the realm of trade and commerce of the country. In the export side the Chamber represented over 70 percent. of the trade of the province, of the jute bag trade 71 per cent., of the cow and buffalo skin trade about 90 per cent. Replying to the criticism that the Moslem Chamber of Commerce was a newly formed organisation, the speaker said that it had come into being long before the Government of India Act was passed. It ceased to function for a time but came into existence again. But supposing that this Chamber was created only recently that did not justify, according to the Khan Bahadur, the criticism that it ought not to have been given a seat in the future legislature.

*Mr N. K. Basu* said that he differed from those who said that there should be no distinction in the matter of representation between urban and rural population. He thought that if it was found necessary to give certain weightage to the urban population in any particular area, it should be given. That was the view taken by the Simon Commission and by the Government of Bengal in their memorandum to the Simon Commission. So far as Bengal was concerned, most of the thinking, politically minded population, both Hindus and Mahomedans, had congregated to the towns. Proceeding *Mr Basu* said it might be a tragedy or a comedy, but they had got to face facts. There was no denying that men of light and leading had congregated in towns. Coming to the consideration of the claim of the Moslem Chamber of Commerce *Mr Basu* said that he doubted the authenticity of the facts and figures given by the Khan Bahadur. Referring to the report of the Bengal Provincial Banking Enquiry Committee *Mr Basu* said that in that committee no less a person than the Hon'ble Khan Bahadur *Asiul Haq* was a member and the report of that committee was to the effect that so far as the trade and commerce of Bengal was concerned, the interests of the Moslem community were inconsiderable.

In course of his speech on the motion *Mr Armstrong* stressed the importance of the coal industry of Bengal and proposed that the Indian Mining Federation which was a purely Indian institution should be given one seat in the future legislature. The Indian Mining Association which was not purely Indian in constitution had been given one seat. The Bengal National Chamber of Commerce had got two seats and he suggested that it should forego one of its seats in favour of the Mining Federation.

*Mr P. Banerjee* endorsed the view of *Dr N. C. Sen Gupta* that the underlying policy of the Government in coming up with such proposals was to shut out the politically minded Indians, the nationalists. He maintained that care had been also taken to shut out genuine labour organisations.

*Mr Abdus Samad* said that the main argument advanced in favour of separate electorates was that the majority of the Moslem community demanded it. How could anyone determine it? Was any plebiscite taken? It was a mere assertion not based on fact.

*Mr Sukhwarthy* challenged the statement

Mr Samad I persist in my statement. It was a mere assertion, not fact. Let the Communal Award be withdrawn and then take a plebiscite.

Even assuming that the majority of Moslems demanded it, proceeded Mr Samad, the fact remained that the Hindus, Sikhs and Indian Christians to a man, were opposed to it. These communities formed about four fifths of the population, but without listening to their demand Government listened to the demand of this microscopic community of Moslems, not in the latter's interests but in their own interests. He reminded his Moslem friends that without the co-operation of the Hindus who were much superior to them in the matter of education and in other ways the Mahommedans could never hope to rise.

Speaking on the motion Mr B C Chatterjee emphasised the necessity of Hindus and Mahommedans forgetting to think in terms of their religion alone. If they really wanted self-government it was necessary that they should rise above mutual hatred and learn to love each other. He exhorted his brother members, both Hindu and Mahomedan, to get rid of this bad venomous habit of trying to make out cases against each other.

#### RURAL UPLIFT IN BENGAL

The Hon'ble Sir John Woodhead then moved the following special motion —

"This Council recommends to the Government that the sum of Rs 16 lakhs allocated by the Government of India for expenditure in Bengal out of the grant voted by the Indian Legislative Assembly for expenditure on schemes of rural uplift be devoted for the establishment of seed, paddy and corn demonstration centres, the improvement of cattle, the improvement of poultry, propaganda work in the districts, the establishment of an experimental rural broadcasting service in the Midnapore district, the improved marketing of jute and paddy, the establishment of spinning and weaving demonstration parties, the establishment of union board dispensaries and the improvement of water-supplies in rural areas, the introduction into selected secondary schools of agricultural and manual training and the provision of school playgrounds in rural areas, village playgrounds and village libraries and halls, grants in aid of the Boy Scout, Girl Guide and Bratachary movements, minor drainage flushing schemes in rural areas, improvements in the Chittagong Hill Tracts and discretionary grants to commissioners and district officers.

Moving the above motion the Hon'ble Member said that a sum of one crore of rupees had been voted by the Legislative Assembly for rural uplift of Bengal and this sum had been set apart by the Hon'ble Finance Member for the purpose. The Bengal Government had come out with its scheme for expenditure of Rs 16 lakhs and submitted it before the India Government. India Government had approved it and the motion was now placed before the House for its approval. A memorandum in connection with the scheme had been issued to the members for their enlightenment. He reminded the House that the money ultimately spent on individual schemes might not tally with the figures as given in the memorandum which were merely estimates.

#### NEW OFFICIAL BILLS

16th AUGUST — A number of non official bills came up for consideration of the House to-day. They were *The Estates Partition (Second Amendment) Bill*, *The Calcutta Municipal (Amendment No II) Bill*, *The Bengal Municipal (Amendment) Bill*, *The Bengal Ferries (Amendment) Bill*, and the *Bengal Medical (Amendment) Bill*.

Of these the *Bengal Medical (Amendment) Bill* moved by Mr J L Banerjee, the *Calcutta Municipal (Amendment No II) Bill* moved by Mr P Banerji, and the *Bengal Ferries (Amendment) Bill* moved by Maulvi Abdul Hakim, attracted a certain amount of discussion. All the three bills were moved by the respective movers for reference to select committees.

#### BENGAL MEDICAL AMENDMENT BILL

Mr J L Banerjee's Bill proposed that those medical practitioners who had, in some institution not recognised by the Government, undergone a proper course of training, had been practising medicine before 1914 when the Bengal Medical Act was passed, should be given the privilege of registration. The speaker contended that similar provisions had been made in the Medical Act of different provinces, e.g., Bombay, the Punjab, the United Provinces, Burma etc. There was a similar provision also in the English Act. There the privilege of registration had been extended to those who practised medicine from before 1858.

Opposing the Hon'ble Mr. *E. N. Redd* said that since the passing of the Act in 1914, Government had provided for an examination of those doctors by the State Medical Faculty to qualify for registration and this transitory provision remained in force till 1919. It could not therefore be said that ample opportunities had not been given to those doctors to qualify themselves as registered medical practitioners. It seemed scarcely reasonable to come out with a proposal of the kind 21 years after the Act was passed. Besides the public had a right to protection from the hands of ignorant medical practitioners and registration served a very useful purpose, namely, it offered the public an opportunity to know who were qualified medical practitioners, and who were not.

The bill was lost though supported by non official European members by 41 to 33 votes.

#### CALCUTTA MUNICIPAL (AMEND NO II) BILL

The object of Mr. *P. Banerjee's* bill was to do away with plural constituencies and to allot ten seats for labour in the Calcutta Corporation of which one should go to the Bengal Bus Syndicate. Moving the bill Mr. Banerjee deplored that the claim of labour should be so ruthlessly ignored as regards representation in the Calcutta Corporation. In Bombay Corporation labour was much better represented.

Replying the Hon'ble Sir *Bejoy Prasad Singh Roy* said that it would certainly have been an ideal state of affairs if plural constituencies could have been dispensed with altogether. But one had got to consider the question with reference to facts. The first and foremost difficulty would be as to how to accommodate the Mahommedan members. The matter was considered only two years ago by a select committee. It was too early to move in the line suggested by Mr. Banerjee.

Replying to Mr. Banerjee's second contention that more seats should be provided for labour the Hon'ble Minister said that Government appointed a number of councillors of whom two were representatives of labour. It could not therefore be said that labour was unrepresented in the Calcutta Corporation. In the opinion of the Government there was no justification for allotting as many as ten seats for labour. In Bombay, where labour was perhaps much more organised, only four seats had been allotted to labour. As regards the Bengal Bus Syndicate, it was not yet a sufficiently important organisation to be given one seat in the Corporation. The motion was lost.

#### BENGAL FERRIES AMEND BILL

The object of the *Bengal Ferries (Amendment) Bill* was to fix the maximum limit to the period to which a ferry should be leased. In the opinion of the mover a term not exceeding three years would be best suited to the legitimate interests of the District Boards and ferry farmers alike.

Moving for the reference of the bill to a select committee *Wazir Abdul Hakim* said that in some places e.g. in Mymensingh ferries were leased out to farmers for as many as 15 years. This sort of arrangement was most objectionable inasmuch as it often led to exaction and exploitation of ignorant passengers. It also affected adversely the finances of the district boards often.

Opposing the motion for reference the Hon'ble Sir *Bejoy Prasad Singh Roy* said that in his opinion the short term lease was more likely to help exploitation. Besides there was divergence of opinion among district boards in the matter. Ordinarily leases were granted for three years only. It was left to the discretion of the district boards to extend the term in some cases. There was no reason why Government should seek to deprive the district boards of their discretionary powers. If there was corruption, which the Hon'ble Minister very much doubted, he did not think that it could be removed by the remedy suggested by the mover.

The motion for reference of the bill to a select committee was pressed to a division and lost by 58 to 18 votes.

#### BENGAL MUNICIPAL AMENDMENT BILL

*Ras Bahadur Satyendra Kumar Das* moved for reference of the Bengal Municipal (Amendment) Bill to a select committee.

The Hon'ble Sir *Bejoy Prasad Singh Roy* by way of an amendment moved that the bill be circulated for eliciting public opinion thereon till December 31, 1935 and stated in this connection that the Government proposed to introduce a bill in the next session of the Council embodying some of the proposals made by the mover in this bill. The amendment of the Hon'ble Minister was carried.

## BENGAL RACE COURSE BETTING BILL

19th AUGUST.—The Council disposed of a number of non-official bills to-day of which a certain amount of discussion centred round the Bengal Race Course Betting Bill moved by Mr P Banerji.

In moving for reference of the bill to a Select Committee Mr Banerji said that his object for bringing in the bill was to provide a machinery for effectively controlling gambling existing in race courses and also for introducing dog racing in the province. This is no argument that dog racing did not exist in an organised form of sport in this province. Besides dog racing was in vogue in England. He contended that while rich people indulged in horse racing there was no reason why poor people should be deprived of taking part in dog racing which was certainly a less costly pastime. Under the circumstances he suggested that dog racing and gambling thereon should be legalised.

Mr A R E Lockhart by way of an amendment moved that the bill be circulated for eliciting public opinion thereon till 1st October 1935. He said that he had every sympathy with the general principles underlying the bill but he was in favour of circulation so as to be fortified by the strength of public opinion.

Opposing the motion for reference as well as the amendment for circulation the Hon'ble Mr R N Reid said that as regards introduction of dog racing in Bengal he would not be wrong if he were to say that most of the public opinion in the province would be on the side of the Government for not giving facilities for a new and undesirable sport like dog racing. Government did not think that they should offer any facilities for a sport like this. In this connection the Hon'ble Member quoted the opinion of the Royal Commission on betting in England which said that the spread of dog racing had a very bad social effect in the neighbourhood in which it was introduced, that while horse racing was confined only to industrial areas, dog racing reached the very doors of industrial workers and as a result they indulged in dog racing not every week, but every night. Under the circumstances he asked the House to consider whether it would be proper to introduce a legislation of the kind.

As regards horse racing the Hon'ble Member contended that it was placed on a scientific footing and did not require re-organisation as proposed by Mr Banerji. So far as the controlling of affairs in the race course was concerned, Government had enough powers under section 1 of the Bengal Public Gambling Act, and the Hon'ble Member did not think that they stood in need of more powers being given to them. Besides, control within the race course was entrusted in the hands of various clubs which were very respectable organisations. In opposing the circulation motion the Hon'ble Member said that very little would be gained by circulating the bill for eliciting public opinion on the academic question as to the desirability or otherwise of introducing dog racing in Bengal.

Mr Lockhart's amendment for circulation was pressed to a division and lost by 45 votes to 16. Mr Banerjee's motion for reference of the bill to a Select Committee was lost without a division.

## CALCUTTA MUNICIPAL AMEND BILL

Mr Narendra Kumar Basu then introduced the Calcutta Municipal (Amendment) Bill the object of which was to put an end to the present system of appointment of principal officers in the Corporation by extending their term of office.

The Hon'ble Sir Brijoy Prasad Singh Roy by way of an amendment moved that the bill be circulated for eliciting public opinion thereon till the 1st of November, 1935. In doing so the Hon'ble Minister said that without consulting the Corporation it would not be right for Government to proceed in the matter.

Mr Basu accepted the amendment of the Hon'ble Minister.

## LICENSE FEE FOR TRADE

Dr Nares Chandra Sen Gupta next moved the Calcutta Municipal (Amendment) Bill for consideration of the House.

Dr Sen Gupta said that the object of his bill was to remove certain anomalies obtaining in the Corporation as regards the license fees for trade and profession.

The Hon'ble Sir Brijoy Prasad Singh Roy proposed circulation of the bill on the ground that it would not be proper for the Government to proceed in the matter without consulting the Corporation whose finances would be affected by the proposed legislation.

Dr Sen Gupta accepted the amendment of the Hon'ble Minister.

## BENGAL MUNICIPAL AMEND BILL

The Bengal Municipal (Amendment) Bill moved by Mr P Banerjee for consideration of the House was negatived and the proposal of the Hon'ble Sir Bjoy Prosad Singh Roy for circulation of the bill till 1st December, 1935 was carried.

The Bengal Tenancy (Amendment) Bill of Mr P Banerjee which sought to further amend the Bengal Tenancy Act, 1935 was also lost without division.

## RURAL UPLIFT IN BENGAL

**22nd AUGUST** —By 56 votes to 29 the Council rejected the amendment of Mr J L Banerjee recommending to the Government that Rs 16 lakhs allocated by the Government of India for expenditure on schemes of rural uplift in Bengal be devoted exclusively to some one or at most some two of the crying needs of the locality for rural uplift on condition that preference be always given to water supply. The debate arose on the special motion of the Hon'ble Sir John Woodhead on the 15th August who proposed that the amount be devoted to 13 subjects including one for the establishment of an experimental rural broadcasting service in the Midnapur district.

Mr J L Banerjee's amendment ran thus

"This Council recommends to Government that instead of frittering away the money available for the purpose of rural uplift upon a dozen schemes of varying degrees of utility Rs 16 lakhs be distributed among the different districts of the province upon a combined basis of area, population and local needs and that the sum allotted to each district be devoted exclusively to some one or at most some two of the crying needs of the locality for rural uplift, the said needs to be determined by the Government in consultation with the local self governing bodies of the district, on condition that preference should always be given to water supply.

After the amendment of Mr Banerjee was negatived, Moulvi Majid Baksh enquired as to the fate of the original special motion. The President replied that the motion was "talked out."

Non official members urged that the major portion of the money should be spent for improvement of rural water supply. Mr N K Basu criticised the provision of Rs. 82,000 which was estimated to cover the working of the scheme of establishing a rural broadcasting service in Midnapur for two years and stated that they knew what kind of propaganda talk was necessary for the people of that district according to Government. Propaganda necessary for those people would be talk on political subjects. With regard to the provision of discretionary grants to Commissioners and district officers, amounting to Rs. 2,17,500, the speaker stated that probably some of the money would be spent for "terrorist hunting department." It appeared to him, proceeded Mr Basu, that perhaps the Hon'ble Finance Member was not taking the House seriously in bringing up the resolution. If the debate had any reality about it, which the speaker very much doubted, because it had already been said by the Hon'ble Member that the distribution and allocation of grants had been sanctioned by the Government of India, if that was really the case, he would submit that 6 only out of the 13 items could be said to be made to help the economic uplift of the rural population. Rural uplift connoted that people should live and then they should be lifted up. It was absolutely necessary that people should be given opportunity to live and it was well-known that the essential condition for it was the provision of good drinking water which was not available now.

Khan Bahadur Asisul Hug on behalf of the Education Department, justified the provision made in the Government scheme for educational uplift of the people. He asked the House to remember that education was an aspect which should not be forgotten in connection with the question of village uplift problem.

Sir Bjoy Prosad Singh Roy, Minister in charge of Local Self Government, justified the two schemes put forward on behalf of the Government. He added that with regard to the question of water supply there was overwhelming opinion in its favour and he did not feel called upon to deal with it.

Mr W H Thompson, leader of the European group, said that if an impression was to be made it was surely much better to concentrate on one object by which something could really be done. But this was not a question of spending 16 lakhs only. This was just a beginning. He thought Government was right in so allocating this money as would show to the people in how many different ways uplift could come even by dissemination of ideas by broadcasting. He hoped that this beginning would go a long way to give a fillip to different subjects being undertaken which would be developed under the New Constitution.



Mr J N Basu said that having regard to the vast area to be dealt with and having regard to the needs of the people it was no use spending small sums of money on different objects. He suggested that Government should choose selected areas, find out the most urgent needs of those places and undertake effective measures to meet the same. In his opinion the broadcasting and the bratachari movement might surely wait for sometime till the people were freed from malaria, and other preventable diseases.

Replying to the debate Sir John Woodhead pointed out that Government plan really contemplated spending the amount on 6 schemes. Government proposed to distribute the money according to the needs of the people. Certain items would be distributed more or less throughout the province while certain other items would be limited to certain districts. He hoped the House would agree with him that the objects Government had selected were really in the interest of the people. He agreed that it would not be wise to spend the entire money on one particular project. He realised the importance of water supply and maintained that they had favoured water supply to a considerable extent in their own scheme. With regard to discretionary grants he said that such grants were often given by commissioners and district officers to schemes in connection with rural water supply. He also assured the House, in the Union Boards where dispensaries could not be established, the money could be spent on water supply schemes.

Supporting Mr Banerjee's amendment Mr Sawis Shakkarewar Roy said that if the Government meant really to tackle all the problems adumbrated by them it would require much more money than they proposed spending. He thought that the thing which could do the greatest good to the country with the money that was available was the making of suitable arrangements for the supply of good drinking water in the countryside.

Mr B C Chatterjee suggested that the entire amount should be devoted for the installation of tube wells in the villages of Bengal. If his suggestion was accepted that was bound to make an impression and at one stroke Government would be more popular than it had been for the last ten years.

Nawab Musaratuff Hossain was of opinion that the amount should be spent for the supply of good drinking water and for the eradication of malaria in areas which were much infested with this disease.

The amendment was lost by 56 votes to 29 and the original motion was talked out.

**23rd AUGUST** —After transacting Government business with regard to grants, the House passed on to the consideration of Government bills to-day. Two bills namely, the Bengal Village Self Government (Temporary Provisions) Bill and the Bengal, Agra and Assam Civil Courts (Bengal Amendment) Bill were passed and the Bengal Public Security (Extending) Bill was under consideration when the Council adjourned.

#### VILLAGE SELF-GOV'T BILL

The object of the first bill was to remove the anomalous position brought about by the passing of the Bengal Village Self-Government (Amendment) Act which came into force on July 4, 1934, relating to the formation of union boards.

#### BENGAL PUBLIC SECURITY BILL

The Bengal Public Security (Extending) Bill of 1935 was introduced by Mr R N Reid the Home Member.

The Bengal Public Security Act of 1932 lapses on December 31, next. The Act was passed to confer special powers on the Government to enable it in the case of emergency to combat activities subversive of law and order or prejudicial to the public security for the suppression of which the ordinary powers of Government were inadequate. That such activities might recur was by no means impossible and the Government was of opinion that it ought in common prudence not to follow the preventive powers conferred by the Act to lapse. It was therefore proposed to extend the period of the Act by a term of five years.

In moving that the Public Security Bill be circulated for shortening public opinion thereon till January 1 1936, Mr Emdadul Haque said that if the Government really wanted to put an end to subversive movements, they should go to the root cause of public discontent. In his opinion the root cause of public discontent lay in the widespread unemployment of educated youths of the province. Unless and until they could solve that problem there was no chance of Government being successful in

stamping out these subversive movements. These movements might remain suppressed for a time but he reminded the Government that suppression was not annihilation. The Bill proposed to give large powers in the hands of district officers which the speaker strongly objected to, because, in his opinion, they were not of 'judicial temperament,' they were rather men of 'military temperament.'

The Hon'ble Mr Reid opposed the amendment

Mr P Banerji then moved that the bill be circulated for eliciting public opinion till October 31, 1936

Supporting Mr Banerji's amendment Dr Narendra Nath Sen Gupta said that the bill had been in operation for three years at least in some areas in Bengal and it could naturally be expected that people of those areas might have something to say as regards the operation of this bill. They could very well be asked to express their opinion on the matter. The Hon'ble Member was not speaking out his mind, proceeded Dr Sen Gupta, when he moved his bill for consideration of the House. What was at the back of his mind was that public opinion did not matter. Indeed he did not care a jot for it. The speaker was against circulation of the bill because he was opposed to the bill, lock, stock and barrel. By these repressive legislation after legislation, freedom of the people was being taken away and the liberties of the people were being unduly interfered with. The Hon'ble Member said that the bill had been a great success and in the same breath he said that its operation had been extended only to a few limited areas.

Dwelling on the large number of repressive acts and ordinances passed by Government in recent years, Dr Sen Gupta said that the Acts for the suppression of terrorism and other Acts resembled one another so closely that it was difficult to distinguish between one Act from the other as regards the operation, but there was one thing common among them all in that they all aimed at taking away the freedom of the people. The only justification for extending the term of the bill was that the Government wanted to retain the powers that had been given them. They were unwilling to part with those powers. Dwelling on the achievement of the Public Security Act Dr Sen Gupta said that as a result of the operation of the Act the political existence of Midnapur had been swept out. This object had been achieved causing untold suffering to the people. He submitted that there never was any necessity of the Public Security Act, there never was any necessity for the Bengal Criminal Law Amendment Act and other such repressive legislation.

Intervening in the debate the Hon'ble Mr Reid said that it was the bounden duty of the Government to hand over the machinery in a good running order and with this necessary apparatus Government considered it necessary to have these powers in existence in case they were wanted and it was both wise and fair to furnish those who would administer the new constitution with weapons with which they could deal, if necessary, with these kinds of subversive movements, from which the country had suffered during the last civil disobedience time and which unfortunately there was no reason to suppose they would not possibly suffer from again. The duration of the bill was for five years, that is to say, the life of the Act was intended to be extended up to December 31, 1940. By that date those who would work the new constitution would be in a position to know their minds as to whether they would like to keep the Act in force or to repeal it, or perhaps to replace it with more drastic powers. In his opinion it would be dangerous to have too short a period. The new Constitution would come, the new machinery would just be installed and it would not be fair to ask the future Government too early in their career to consider whether they should scrap or maintain what this Government regarded as essential part of the machinery.

This Act, the Home Member continued, had been put in force only in three places in certain parts of Midnapur and Hooghly, and it was extended for a short period and very soon removed in certain areas at the time when it was proposed to hold the session of the Congress in Calcutta. It had not been extended in other places. The fact that the Act had been little used, he maintained, was no proof that it was useless. Government could claim for not using the Act more widely than they had which showed that Government did not take the opportunity of recklessly using the powers they had. It was on the ground of common prudence that Government had brought this bill. Circulation of the bill was of no use, as it contained no new provisions, but only extended the existing provisions. Judged by the past experience there was no reason to suppose that the powers would be missed.

The amendment was under discussion when the House adjourned till the 26th,

**26th AUGUST**—The Bengal Public Security (Extending) Bill was passed in the Council to-day without a division Mr *Read* on behalf of Government accepted the amendment of *Abdus Samad* limiting the life of the bill to three years up to December 31, 1936 instead of five years as proposed in the bill. The amendment was carried. Following this the other two non official amendments which also sought to reduce the period of operation of the Act were withdrawn and the bill was passed into law.

An amendment of Mr *P. Banerjee* which suggested circulation of the bill for eliciting public opinion thereon by October 31, 1935 was lost by 53 votes to 17. A few members did not participate in the voting among whom were Messrs *J. N. Basu*, *S. M. Bose*, *Ananda Mohan Poddar* and *Dr. Haridhona Dutt*. Another non-official amendment for circulation of the bill to elicit public opinion before January 1, next was also lost.

When discussion was resumed on the amendment for circulation of the bill, Mr *Shyama Prasad Mukherjee* supporting the amendment said that he did not think that there could be anyone in this House or outside to congratulate the Government on their attempt to introduce the present bill for the purpose of extending the life of the Public Security Act. There were sufficient materials before them which would justify their characterising this particular measure and the decision of Government to introduce it at this time as unwise, unfair and unjust. There was no one in this House, proceeded the speaker, who could deny that this was an extraordinary measure like the many other repressive measures which had been placed on the statute book. There could be no difference of opinion on that matter. It was a measure which was calculated to encroach upon the rights and liberties of the subjects in regard to certain fundamental matters. It was necessary for them to recall at this stage the circumstances under which the bill was introduced in 1933 and briefly summarise the history of this legislation. When the civil disobedience movement reached its zenith the Governor General passed several Ordinances one of which related more to the civil disobedience movement. In 1932 one of such ordinances elapsed and, as the speaker believed, under the provision of the law it was not open to the Governor General or any other authority to continue the life of the ordinance, that in 1933 the late Sir William Prentice, Home Member of the Government of Bengal, came before the House with the Public Security Bill which embodied several of the provisions of the Ordinance which was due to elapse.

There were certain matters in this connection, Mr *Mukherjee* emphasised, which must be borne in mind while discussing the motion before them. In the first place the House should remember that it was made clear by the late Home Member in his statement of objects and reasons that these special powers were necessary because there was the possibility that activities in furtherance of the movement known as the civil disobedience movement would continue, or that other such subversive movements might in the future arise. This point was made clearer when Sir William Prentice introduced the bill in the House in November 1932. He said on the occasion that the bill did not and was not intended to deal with terrorism, the movement with which it intended to deal was the civil disobedience movement. He asked the members of the House to disabuse their mind that in considering the motion before them they were not considering a measure for combating terrorism. They should therefore leave aside terrorism for the time being, and remember that the object was to fight the Indian National Congress and the C. D. Movement principally. The point was made clearer still as the Home Member developed his argument. He said that the Congress had issued its challenge to Government by calling the C. D. Movement and up to that time (November, 1932) that had been the clear policy of the Congress. The position had been forced upon them (Government) by the conduct of the Congress. There was no sign of the Congress calling off the C. D. Movement, and so long as the Congress defied the Government the latter must be in possession of these special powers. Government had simply accepted the challenge. If the Congress withdrew the C. D. Movement Government would reconsider their position. Government could not consider the adoption of any other policy so long as the Congress persisted in the C. D. campaign.

The speaker also recalled that the Home Member then in charge of the bill had also indicated in one of his speeches that the object of the bill was not to fight Civil Disobedience Movement alone but other subversive movements as well. As an illustration of the existence of such movements the Hon'ble Member had referred to a public meeting held at Albert Hall where revolutionary leaders had been distributed. Three years had elapsed since then but they had heard nothing of that movement. Without further materials before them, and unless Government could convince them

as to the existence of some such subversive movement, they could not accept the proposition that the circulation of the particular leaflet fore-shadowed the coming of another great revolutionary movement, in this country. Unless the Government could show that there existed to day some movement like the Civil Disobedience Movement there could be no justification for the introduction of this bill.

Where was the C. D. Movement to-day? Mr Reid had said that he would reconsider the situation if Mahatma (Gandhi) gave an indication or a gesture of goodwill or if the C. D. Movement were withdrawn. The present-day declared policy of the Congress showed that the C. D. Movement had failed and a practical demonstration of that they were witnessing in the Legislative Assembly where the protagonists of the C. D. Movement were occupying the opposition benches. Mr Mukherjee did not think that they were adopting any method in the Assembly which might be described as unconstitutional. In these circumstances the speaker was constrained to say that the present policy of the Government in coming up with a bill of this nature was nothing short of a breach of faith. An undertaking—though not exactly in so many words—but a definite undertaking, none the less had been given that if C. D. Movement was withdrawn Government would reconsider their position. The House had a right to demand as to how the Government had reconsidered their position.

Proceeding Mr Mukherjee referred to the statement of Mr Reid that the provisions of this Act would not be applied unless the Government were satisfied that there were reasons which made the application of such powers incumbent upon them as also to his statement that the Act had only been extended to three places and said that the very fact that the Act had been in operation in only three places was the strongest argument in favour of the opposition that there was no necessity for a bill of this nature. Such powers as were given under the Act could only be justified in emergencies which did not exist at present.

Replying Mr Reid said that the Act aimed at dealing not only with the situation that arose in 1932, but similar situations that might arise in the future. It was prudent to anticipate troubles and difficulties and to provide against them. There was no harm in passing the bill. If no unpleasant situation arose in the future, and the future government did not think it necessary, they could repeal the Act.

As stated the bill, as settled in Council, namely that it would be in force till December 31, 1938, was passed into law.

#### BENGAL RELIEF OF INDEBTEDNESS BILL

**27th AUGUST** —The Bengal Relief of Indebtedness Bill was introduced in the Council to-day by *Khwaja Sir Nazimuddin*. The Member in charge moved for reference of the bill to a select committee. To this a non official amendment was moved for circulation of the bill to elicit public opinion before November, 30.

The bill is based on the recommendations made by the Board of Economic Enquiry. These recommendations were based on the provisions of the Central Provinces Debt Conciliation Act, 1933, and the Punjab Relief of Indebtedness Act, 1934. Whereas these two Acts aimed primarily at settlement of debts between debtor and creditor the Board of Economic Enquiry proposed that powers be granted for settlement by compulsion in certain cases. Provision had been made in the bill for setting up debt settlement boards of different types as circumstances demanded. In addition the Bill included provision for a simple insolvency procedure.

Sir Nazimuddin said that following His Excellency's speech at the St. Andrews dinner in 1933 urging the necessity of a constructive policy for the reorganisation of the rural economy of the province various schemes in that direction had been taken up. The real solution of this problem lay however in tackling the question of rural indebtedness which according to the report of the Royal Commission on Agriculture amounted in the neighbourhood of Rs. 1,00,00,00,000. Subsequent to this report depression had started. The accumulation of arrears of interest and principal had made debts so heavy that the cultivator found himself in a hopeless position and in some cases the debts were inherited so to speak by the cultivator. In these circumstances he either becomes desperate and was willing to listen to anyone who came to him with communist propaganda and thus becomes a danger to the State, or he loses all interests in life and becomes a bad cultivator and therefore a clog to the wheel of progress.

It had been found as well that the area where the people were heavily indebted showed a record of increase in crimes. The Hon'ble Member was convinced that trade and industry in the province could not prosper till the purchasing power of the masses had been increased. As a result of tension between the landlord and the ryot over the question of payment of debts, if things are allowed to drift, ultimately a class war

might develop. But if the debts of the ryots were scaled down and equated payments were fixed in such a manner that after paying the instalment the cultivator would find himself left with a sufficient margin for paying him rent and purchasing the necessities of life and paying also the expenses of his children's education, then more money would be coming into circulation of the zamindar, the professional men and trade and industry, whereas at present most of the liquid cash of the cultivator went into the coffers of a few money lenders and thus free circulation of money was restricted causing depression in trade and industry.

*Maulvi Hassan Ali* moved by way of amendment that the bill be circulated for eliciting public opinion thereon before May 30, 1935.

Supporting the amendment for circulation of the bill *Mr N K Basu* said that the bill had been conceived in haste. He admired the enthusiasm of the Hon ble Member but doubted the efficacy of his bill. Probably by the operation of the bill the money-lender would feel aggrieved and the Hon ble Member would then come out with another bill to protect the money-lenders and the landlords. "Where are you going to stop if there is a moratorium all round?" he asked.

The bill was ill-conceived not only from the money lenders point of view, but from the point of view of the agriculturist as well. Constituted as the House was Government was well conscious of the fact that they could get any measure passed through this Council. The Bengal Development Bill had not been circulated for eliciting public opinion, it was sent to the Select Committee instead where drastic changes were made. If the proposal for circulation was not acceptable to the Government, he suggested that instead of sending it to the Select Committee the Hon ble Member should rather move for its consideration and have the bill passed through the Council in a straightforward manner. He failed absolutely to find any reason for sending the bill to the Select Committee.

Supporting the amendment of *Mr Hassan Ali*, *Mr B C Chatterjee* asked if the Government were in a position to advance the money that would be required to help ryots to carry on, if as a result of the operation of the Act money lenders grew shy and refused to lend money to the cultivators?

Supporting the reference motion and opposing the amendment *Khan Bahadur Abdul Momun* repudiated the suggestion that the bill had been conceived in haste. For several years all who had the good of the peasantry at heart brooded over this problem and at every meeting of the Proja Conference this question of indebtedness of the peasantry loomed large. He did not believe that editors were going to be let down in any way by the provisions of the bill. The bill was a move in the right direction though he considered it was not sufficiently bold and radical for the simple reason that Government had to be cautious in a matter like this. He opposed circulation as he did not believe any purpose would be served by circulation of a bill which had been before the public eye during its preparation by the Board of Economic Enquiry.

Supporting the motion for reference of the bill to the Select Committee, *Dr Narash Chandra Sen Gupta* said that this bill could not be the last thing in the scheme of economic reorganisation for Bengal and hoped Government would come out with other schemes for the betterment of the economic condition of the peasants. With regard to the rural insolvency scheme proposed in the bill the speaker was not in agreement because in his opinion it did not solve the problem and would on the other hand lead to more evil than good. Discussion on the bill had not concluded when the Council adjourned.

**28th AUGUST**—The motion for reference of the Bengal Relief of Indebtedness Bill to the Select Committee was carried in the Council to day without a division. The amendment for circulation of the bill for the purpose of eliciting public opinion thereon before November 30, 1935 was lost.

When debate was resumed on the bill *Mr J N Basu*, supporting the motion for reference, said that the present measure aimed at removing the evil of rural indebtedness by laying down certain principles of adjustment between debtors and creditors. The attempt was laudable but he advised that the Select Committee should proceed cautiously in the matter in view of the fact that anything that was likely to interfere with the proper working of the system of credit was likely to do a great deal of harm. It was necessary that the credit system should continue to work without hindrance except where it became necessary that there should be interference in order that the subject indebtedness of the people might be removed.

Replying to the criticisms made against the bill, *Khwaja Sir Nazimuddin* said that most of the criticisms had been made in a half hearted manner. The bill was based on the advice of those who had taken considerable pains to examine the question thoroughly. Proceeding the Hon'ble Member said that the critics of the bill could be divided into three classes. There were those who thought that nothing could be done until and unless there was an increase in the economic condition of the ryot by raising the price of agricultural produce. Then there were those who believed that the operation of the bill would ruin the money lenders and the landlords and would bring about a serious state of affairs. There were again those who were of opinion that the bill did not go far enough and advocated more drastic provisions. In reply to the first class of critics he would say that the settlement of debts, or rather the scaling down of the debts, was a condition precedent in any attempt at village uplift and rural reconstruction. If a man's debt was increased by four or five times, in that case the mere increase in his income would not help him to clear his debts. It therefore followed that before increasing his income steps should be taken to reduce his indebtedness. He drew the attention of the House that even this side of the question namely increase in the income of the agriculturist had not been neglected by Government. The most important money crop of Bengal was jute. Last year the price of jute ranged between Rs 2-8-0 to Rs 3-8-0, this year it varied from Rs 4-8 to Rs 5-8. There had been marked increase in the price of jute and this had been brought about entirely as a result of propaganda carried on by the Government. Recently price of jute had gone down owing to causes over which Government had no control but the Hon'ble Member assured the House that with the advent of foreign purchasers the price of jute would go up again. As far as the next year was concerned, proceeded Sir Nazimuddin, Government were determined to make every effort to make the scheme of voluntary restriction of jute a success. It was the intention of Government to spend more money next year on propaganda work. He assured the House that so far as the landlords were concerned their position was not seriously affected at all. Rent was a very small portion of the liability of the cultivator and as far as the debts were concerned no ryot was likely to repudiate them. He assured that only on exceptional occasions would pressure be put upon creditors to come to a settlement. As regards the mahajans, the Hon'ble Member had talked the matter with many of them and he believed most of them would welcome a measure of this kind. The bill was referred to a Select Committee as stated.

#### GOVERNOR'S ADDRESS

His Excellency the Governor, *Sir John Anderson* then addressed the Council. In doing so, he dealt with the future of the detenus. He said that during the six months which had elapsed since he addressed the House on February 11, the situation had been fairly steady. Though evidence had been received of continued terrorist activity, no major outrage occurred and public opinion had been set steadily against the terrorist activity.

"In these circumstances," he said, "though the need for continued vigilance remains as great as ever, the Government feel that the risk involved in ameliorative measures may justifiably be undertaken subject to proper safeguards. The Government have, after long and careful deliberation, decided on giving to carefully selected detenus at the expense of the State training which will enable them to assist in developing the natural resources of the country both to their own profit and to the advantage of the country at large. It is proposed to train them in those forms of agriculture in which there is scope for intelligence and the organising power of the Bhadrakol youth and which hitherto had been neglected. On the industrial side, training will be given in the manufacture of articles which is expected to yield fair profit and at the same time help to make the province self sufficient.

"The experiments proposed will necessarily be tentative. Its success or failure would depend primarily upon the extent to which the detenus are prepared to take advantage of the opportunities offered. The first opportunity will be given to those detenus who have necessary aptitude and have satisfied the Government that they do honestly intend to discard the path of terrorism for a way of life alike profitable to themselves and useful to the community. Provision will be made in the first instance for training a few hundred only. During the training they have to be kept under some restraint. At the end of the period of training they will be released provided their conduct and general attitude had been found satisfactory.

"For working the scheme, a special organisation will be set up forthwith under a gentleman well-known to the House, Mr. R. C. Mitter, Deputy Director of Industries

whose book "Recovery Plan for Bengal" attracted considerable notice. He will be provided with necessary technical assistance and all resources of the Agriculture, Industries and Co-operative departments of the Government will be brought to bear on the problem. Concluding, the Governor said "You won't be helping them if, by your actions or speech, you encourage the belief that the detenus can hope for relaxation and release until they satisfied the Government that they have given up terrorist propensities and mean to live as good citizens." His Excellency then *prorogued* the House.

## Winter Session—Calcutta—25th. Nov to 20th Dec 1935

### BENGAL WAKF AMEND BILL 1935

The winter session of the Council commenced at Calcutta on the 25th November 1935. After question hour, the House proceeded to consider the official Bills. The Hon'ble *Khan Bahadur M Asizul Haque* introduced the Bengal Wakf Amendment Bill, 1935 which sought to amend the Bengal Wakf Act 1934 before it was brought into force. The Bengal Wakf Act, 1934 did not state who shall decide, in the event of dispute or doubt, whether a particular property was wakf or not, or whether a wakf was wakf-*al-aulad* or not. It was desirable that this defect should be remedied. Section 93 of the Act empowered the Local Government to remove unforeseen difficulties within twelve months from the date on which this Act in whole or in part first came into force. This Act came into force in part in December, 1934, only for the purpose of the survey contemplated in Section 2. The twelve months would expire in December, 1935. As unforeseen difficulties might arise from when the whole Act was enforced, it was thought expedient to extend the period from twelve months to two years.

### CALCUTTA MUNICIPAL ACT AMENDMENT BILL

A Bill further to amend the Calcutta Municipal Amendment Act, 1923 was introduced by *Sir Byom Prasad Singh Roy* the object of the Bill was to restore the franchise to which the proprietors of motor vehicles were entitled before the enactment of the Bengal Motor Vehicles Tax Act 1932. Every owner having a motor car or any person in charge of it had to pay directly to the Corporation a sum not less than twelve rupees for a year. This qualified him as a elector of a general constituency of the Calcutta Corporation. The provisions of the proposed Bill were sought to be given effect to from general election to be held in 1936.

### OTHER OFFICIAL BILLS

*Sir Broyendra* introduced two other Bills, one the Courts Fees (Bengal Third Amendment) Bill, 1935, and the other the Bengal Land Registration (Amendment) Bill, 1935.

### BENGAL COURT OF WARDS AMEND BILL

The Hon'ble *Sir R L Mitter* also moved that the Bengal Court of Wards (Amendment) Bill, 1935, which was introduced during the last session of the Council, be referred to a select committee.

**26th NOVEMBER**—The Court of Wards Bill was referred to a Select Committee to day with instructions to submit their report by January 36 next. The main object of the Bill was to strengthen the hands of the Court of Wards against unsecured creditors and to give it (the Court) better facilities for guarding the interests not only of the wards themselves but also of all the creditors as opposed to those few who take action in the civil courts.

On previous day, *Sir B L Mitter* had moved that the Bill be referred to a Select Committee, to which *Mr W H Thompson* had moved an amendment that it be circulated for eliciting public opinion. In the course of three hours discussion of the measure, on Tuesday, many divergent opinions were expressed. Eventually, *Mr Thompson's* amendment for circulation was lost and *Sir B. L. Mitter's* motion for referring the Bill to a Select Committee was carried.

### HOWRAH BRIDGE AMEND BILL

A short Bill called the Howrah Bridge (Amendment) Bill was then introduced by the *Hon Nawab K G M Faroque*. The Bill sought to remove certain ambiguities,

to empower Government to levy a tax on the annual ratable value of holdings within the Garden Reach Municipality and a tax on season tickets of passengers travelling by the ferry service

#### BENGAL AGRICULTURAL DEBTORS BILL

**27th NOVEMBER**—The Council discussed the Bengal Agricultural Debtors Bill to-day and rejected without a division the motion of Mr P Banerji for its recommitment

Clause (2) of Section 1 of the bill provided that when passed into law its scope would extend to the whole of the province except Calcutta. The House, however, accepted an amendment moved by *Maulvi Abdul Hakim* extending scope to the whole of Bengal

Dr *Narash Chandra Sen-Gupta* did not find any single reason for the recommitment of the bill. It had been said that the bill did not provide any permanent solution of the problem. And by itself it was not a panacea for all the evils the agriculturists were suffering from. This must be followed by a progressive agricultural policy on the part of the Government. It would have to be followed up by organisation of credit, unless that was done this bill would not save the agriculturists. Referring to Mr N K Basu's argument that the bill would wreck the whole system of rural credit since the Government were not giving any financial help, Dr Sen Gupta said that something could be done by this bill. The bill would provide a machinery for doing something for poor agriculturists. It was up to the members of the Council to provide the Government with powers asked for in the bill subject of course, to certain changes

Controverting the argument that 60 out of 63 opinions had declared against the bill *Maulvi Tamazuddin Khan* pointed out that if they would look at the real opinion of the country which was not at all vocal there had been overwhelming majority in favour of the measure. It was true there were a number of defects in the bill but in the absence of any other practical scheme it was practical politics to accept the scheme which had been produced by the Government after weighty considerations. The agricultural debts had amounted to more than one hundred crores and it was not in any way possible for the Government to advance money on that behalf

Replying to the debate, the Hon ble *Khwaja Sir Nazimuddin*, Member-in-charge of the bill, said that practically no case had been made out for the recommitment of the bill. It had been said that out of opinions so far received and published about the present measure 60 were opposed to the bill. But he had received over six hundred registered letters supporting the bill and certain amendments. He was ready, continued Sir Nazimuddin, to throw out the challenge to the opposition that throughout the length and breadth of the country irrespective of caste and creed all the cultivators were in favour of the bill and they would not like to have the bill delayed even for a single day. Therefore, it was useless to say that there was no solid support behind the bill. Some members had expressed horror that if the Bill was put into operation uncertainty and chaos will prevail all over the country. The bill had its original in the recommendations of the Bengal Board of Economic Enquiry which consisted of several prominent non-officials, representatives of Chambers of Commerce, representatives of Universities, specially the Professor of Economics of the Dacca University and the Professor of the Presidency College of the same subject. Therefore to suggest that these men would recommend something which would bring about a state of uncertainty and chaos in the country was, in his mind, a sheer absurdity

**28th NOVEMBER**—Out of 750 amendments tabled to the Bill thirty-seven were disposed of in quick succession to-day within the space of two hours and a half. The House was very thinly attended and the discussions seemed to evoke but little enthusiasm and interest among the members present.

Of the thirty seven amendments disposed of to-day twenty-seven were not at all moved, movers being either absent or unwilling to put them forward. Six were rejected, 3 were withdrawn by their sponsors and the remaining one which was moved by the Hon ble Member in Charge of the Bill himself was passed.

The only motion that created some sort of interest was put forward by Mr W O Wordsworth who sought to limit the life of the Bill till the end of 1940. In proposing the amendment Mr Wordsworth said that as a member of the Bengal Chamber of Commerce he would like to say that according to the Chamber's reading,



the bill was both in essence and in intention a temporary measure caused by the emergency of the last few years' depression. And it was the Chamber's view that this character of the bill should be recognised in it in every possible manner. This character of the measure was recognised in many of its clauses and its amendment suggested one more recognition. He would say that the bill was not so much a competent weapon as a surgical instrument. They had been through some peculiarly difficult years and the cause of these peculiarly difficult years was that supply of rural credit was in danger and drying up and the bill had been devised for that purpose. Creditors might be asked to agree to a considerable inroad upon their rights as a part of one heroic measure to bring the province back to better health, but it would be manifestly a different matter to invite them to accept all these liabilities and obligations as a permanent failure of the conditions under which they lived. That would alarm the creditors and tend to dry up the supply of credit. Agriculturists could not subsist without regular supply of credit and they would want to be willing lenders as well as willing borrowers. Co-operative credit had done much, but they all knew that it had not yet done all it could have done. And it had not yet displaced the traditional method of supplying capital to small agriculturists. His proposal was, therefore, that Government should be called upon to do all that it intended to do with in five years, and after it the Act should cease to exist.

Speaking on behalf of the Government Mr H P V Townsend observed that the thing was that if they wanted to see the Act cease to have effect after 1940 everything that had been done under the Act and the operations of all the sections of the Act would be automatically stopped. There would be no further power to collect any thing under the provisions of this Act and the whole Act would be in fruitless. It could not possibly work for five years and clear up debts of the debtors. It must be given several years say ten, fifteen or twenty years.

Mr S M Bose, in supporting the amendment, said that this was an unheard piece of legislation. The life of the bill should be fixed so that one could take stock of the situation and decide after five years whether to modify the bill or not.

Replying to the debate, the Honble Sir Nazimuddin said that the Government never intended this Act to be a permanent measure. Referring to clause 9 subsection 7 he pointed out that a board should not entertain any further application in settlement of any debt which had been incurred by a debtor after the date of his first application. That important provision would ensure that the bill would be an emergency measure only. If the amendment was carried the whole Act would be absolutely inoperative.

Mr Wordenworth, in view of the assurance given by the Honble Member withdrew his amendment.

Mr Khetra Mohan Roy moved an amendment which sought to include in the definition of "debt" (1) any debt incurred for the purposes of trade (2) any amount due as arrear of wages. The motion was rejected by 56 to 19 votes, the European group supporting the amendment.

The Council rejected another amendment put forward by Mr S M Bose by 56 to 27 votes which sought to appoint a judicial officer administering civil justice and of not less than ten years' experience as an appellate officer.

The consideration of clause 2 of the bill was not finished when the House adjourned.

**29th NOVEMBER**—The Council passed the second clause of the bill to-day, and was proceeding with the next clause when it adjourned. All the amendments to the clause, numbering as many as thirty-four put forward by non official members, were rejected without any division.

Attempts on the part of certain members to widen the scope of the bill by including within the definition of "debtor," tenure holders and persons whose means of livelihood was partly agriculture which gave rise to some discussion proved abortive.

In the bill the debtor was defined as a debtor whose primary means of livelihood was agriculture. Mr S C Roy Chaudhury moved an amendment to the effect that a debtor would mean a person who owed a debt and whose means of livelihood was partly agriculture. In moving the amendment Mr Roy Chaudhury pointed out that if the definition put by him was accepted it would bring in its scope thousands of persons who really needed protection. It would be welcomed by a far larger circle than was at present possible. Practically, Mr Roy Chaudhury continued, it was very difficult to ascertain which particular member of a family lived purely on agriculture and which one depended on subsidiary occupations. He thought if his amendment

was accepted it would do little harm to anybody. He reminded the House that the Punjab Act on which the present measure was based included in its scope not only tenants but land-owners as well. Further if the definition was changed it would bring about salutary feature. It would in all likelihood prevent the Board from committing many mistakes in making an award. Moreover, the inclusion of landowners within the purview of the Bill, as the Punjab has done it, would bring about amicable relations between tenants and landowners who happened to be by tradition the former's friend and guide.

In course of two other amendments the same member wanted to bring in tenure-holder, or proprietor of land or home stead tenant within the definition of the Debtor.

Two motions of the like nature were moved by *Kazi Emdadul Haque*, and one by *Mr Premkari Sarma*.

*Mr W H Thomson* also moved an amendment seeking to limit the definition of the Debtor to rayats and under-rayats for, according to him, the primary object of the Bill was to help the cultivator. The effect of bringing in other people within its scope would be to make the works of the Conciliatory Boards protracted for a longer time. Further, there existed the apprehension of cultivators interest being shelved.

The amendments when put to the House were lost without division.

*Rai Bahadur Akshoy Kumar Sen* moved that the Boards should be situated in District towns and sub-divisions. If the Boards were set up in District and Sub divisional headquarters, the Rai Bahadur contended that both the debtors and the creditors would have the advantage of taking advice from lawyers there although in accordance with the provisions of the Bill the lawyers would be debarred from appearing before the Boards.

*Sir Nazimuddin*, opposing the amendment, said that the Boards working in the villages would have the advantage of keeping themselves free from civil court atmosphere. Further they would have the acquaintance with the local conditions. The motion in the end was withdrawn.

Consideration of Clause three was taken up with *Mr S C Rai Chaudhury* moving two amendments one after another to the effect that the chairman of the Board should be a judicial officer having at least ten years experience as judge of civil courts. Pointing out the reason of his amendment *Mr Rai Chaudhury* said that if the Government wanted to have the decisions of the Board not to be whimsical they must have at least the presiding officer a man of long judicial experience. Legal question of extreme complexity were bound to arise and it was absolutely necessary that those cases should be tried according to law. There were a large number of retired officers belonging to judicial service who could efficiently administer justice as chairmen of Boards. The discussion on these amendments was not finished when the House adjourned.

#### HOWRAH BRIDGE AMEND BILL

**2nd DECEMBER**—The *Honble Nawab K G M Farouq* moved that the Howrah Bridge (Amendment) Bill, 1935, be referred to a select committee consisting of 11 members who would submit their report within three days from the date. The Bill, it may be remembered was introduced to the House on the 25th last.

In referring the Bill to the select committee *Nawab Farouq* said that the question of replacing the present bridge which was opened to traffic as far back as in 1875 had been in contemplation for over a decade and a half. The present bridge was built by the Bengal Government who subsequently made over its management to the Bridge Commissioners. As a result of earlier examination and discussions it was decided that the new Howrah Bridge would be constructed by the Commissioners for it. And it was found that a new Act was necessary for this as the purpose would not be achieved by amending the Act of 1871. The Howrah Bridge Act of 1926, continued the speaker, was passed with a view to enabling the construction of a new bridge to be taken up by the Commissioners for that bridge. The Bridge Commissioners were appointed by the Act and the Act as it emerged from the Legislative Council and as it now stood permitted the Bridge Commissioners to raise a loan. There was some doubt, however, whether under the new Act, as it now stood, the Bridge Commissioners could raise more than one loan and the removal of this ambiguity was one of the reasons for bringing forward this present Bill.

Clauses 23,6 (a) and 8 of the Bill had been necessitated with that end in view. The only other important clause in the bill was clause 9 which was intended to exempt the bridge and its adjuncts from municipal taxation. Government had been advised that under the law, as it now stood, the Howrah Bridge would be liable for assessment to municipal taxes.

under section 124 of the Calcutta Municipal Act, 1923 and also under that same section extended to Municipality of Howrah Government considered that on general principles a bridge like this, which was for the benefit of the general public and particularly the public of Howrah and Calcutta, should be exempted from municipal taxation. A clause has, therefore, been inserted to make the position perfectly clear. The other clauses of the Bill, Nawab Farouqi went on, had been necessitated by changes in the constitution of municipalities, as for instance, the creation of the Garden Reach Municipality, by amendments in the Municipal Act and by the obvious necessity for taking power to levy a tax on season tickets and on the ferry service plying within the limits of the Port of Calcutta whether managed by the Calcutta Port Commissioners or by any private party. This clause placed on well defined basis the power to levy a surcharge on somewhat similar traffic conferred by the Act of 1926.

The Bill was then referred to the select committee without any further opposition. Certain amendments seeking to circulate the Bill for the purpose of eliciting public opinion were tabled by several members but they were not moved.

#### BENGAL AGRICULTURAL DEBTORS' BILL (CONTD.)

The consideration of clause 3 of the Agricultural Debtors Bill was then resumed. Several amendments seeking to appoint judicial officers of several years experience as Chairman of Conciliatory Boards were lost without any division.

**3rd DECEMBER**—The whole time of the Council to day was occupied with the discussion of clauses 9 and 9A of the Bill, dealing with the question of application for settlement of debts. Clause 9 (1) provides that a debtor may make an application for the settlement of his debts to a Board established for the local area within which he ordinarily resides.

Mr W H Thompson moved an amendment adding the following to the clause "within five years from the date of the first establishment of a Board for the local area. *Khawja Sir Nazimuddin*, Member in charge of the Bill, said, he accepted the suggestion of Mr Thompson. He moved an amendment adding the following to the clause "within five years after the first Board is established under sub-section (1) of section (3).

Section 3 of clause 9 reads as follows—"Unless the debtor has already made an application under sub-section (1) any of his creditors may make an application to a Board to which the debtor might have applied under that sub-section.

Mr Thompson withdrew his amendment and accepted *Khawja Sir Nazimuddin's* amendment which was carried by the House without a division.

All other non-official amendments to this Clause were lost without a division. Clause 9 of the Bill as settled in Council was passed. The House was considering amendments to clause 9A of the Bill (which had been inserted by the select committee dealing with the provision relating to settlement of debts by joint debtors) when the Council adjourned.

**4th DECEMBER**—Discussions being dull and mainly confined to movers of amendments and the *Hon ble Member in-charge* of the Bill, as many as four clauses, namely, 9A, 10, 11, 12, of the Bill were passed without any substantial changes made in them.

Speaking on an amendment of *Maulvi Majid Baksh* who sought the deletion of the proviso to the clause 9A (2) which related to application for settlement of joint debts, Mr *Bansi Shekharwar Roy* observed that there was a considerable misgiving among the Hindu community in Bengal that the present Bill would harm the interests of the Hindu Zamindars, Hindu capitalists and Hindu middle class people. He knew, continued Mr Roy that the *Hon ble Member in charge* of the Bill had tried his best to remove the communal aspect of it as far as was possible. On the face of it, remarked Mr Roy, the Bill looked quite harmless, as if it was meant for all classes, Hindus and Mussalmans. But what were the facts? He would advise the Government not to antagonise the Hindu community more than what was necessary. If it was the avowed object of the Bill to give relief to the agriculturists of Bengal, relief should be given to all and sundry.

*Maulvi Majid Baksh's* amendment was rejected.

**5th DECEMBER**—Discussion to-day centred mainly round a single provision namely sub-section (3) of Clause 13. The sub-section provides that if, on the

application of a creditor, notice is issued on a debtor calling upon him to submit a statement of his debts within one month and if he fails to do so, the creditor's application is to be dismissed.

Under clause 9, either the debtor or the creditor may apply to the board for debt conciliation. If the debtor applies and the creditor fails, after notice, to submit a statement of debt, then under clause 13 (2) the amount stated in the debtor's application is to be taken as correct, and no debt of which the creditor has failed to submit a statement is to be payable. But in the case of creditor's application if the debtor defaults, the application is to be dismissed.

*Mr S M Bose* moved that sub-section (3) of Clause 13 be omitted. In moving the amendment *Mr Bose* said that the procedure adopted in the sub-clause with regard to creditor was against all principles of justice and equity. In all fairness *Mr Bose* contended the amount stated in creditor's application should be taken as correct. Further, the principle embodied in the sub-clause was reminiscent of archaic law where the plaintiff had to drag the defendant to the court before the court would assume jurisdiction in the matter. One had never heard of a case in a civilised society where a case was to be dismissed because the defendant chose not to appear. He suggested that there were only two alternatives on principle. Either the creditor should not be allowed to apply at all under clause 9, or if he was allowed then the same rule should prevail as in the case of debtor's application, under clause 13 (3).

Replying to the debate *Sir Nazimuddin* said that the principle of the Bill lay in the fact that there was no compulsion either of agreement or settlement. Bringing down unwilling debtors before the board would mean waste of time and energy of the board. It was better to dismiss at the outset the applications of those people who were not prepared to come to an amicable settlement. It was no use to go into those cases. The Hon'ble member maintained that the scheme of the Bill was logical, reasonable, fair and based on common sense.

*Mr Bose's* amendment was rejected by 60 to 14 votes.

The Council then in quick succession passed clauses 13, 14, 15 and 16. Clause 17 was being considered when the House rose for the day.

**6th DECEMBER**—Clauses 17 and 18 of the Bill were passed without any substantial changes made in them. Several non-official amendments with regard to the above clauses were either not moved at all or were thrown out. The house was considering clause 19 when it adjourned.

Clause 19 (b) of the Bill provides that when creditors to whom is owing not less than forty per cent of the total secured or unsecured debts, as the case may be, agree to an amicable settlement with the debtor, the Conciliation Board, if it considers that an offer made by the debtor for the settlement of any debt not included in the amicable settlement is a fair offer which the creditor concerned ought reasonably to accept may pass an order that the debt to which the offer relates shall be settled in accordance with such offer.

*Babu Khair Mohan Roy*, *Mr Sarai Kumar Roy* and *Mr J N Basu* moved three amendments to substitute "fifty per cent", "Sixty per cent", and "Seventy five per cent" respectively for the words "Forty per cent" in line 1 and 2 of the above clause, namely clause 19 (b).

The movers of the amendments argued that the clause in question provided for the settlement of debts either amicably or otherwise. So far as the settlement was amicable or agreed there was nothing objectionable. But the clause contemplated compulsion inasmuch as the non-agreeing creditors could be bound by the terms offered by the debtor under certain conditions. They suggested that the compulsion introduced under this clause should be made milder by providing the percentage mentioned in the clause to be at least fifty or sixty per cent. The amendments were rejected.

*Moulvi Abul Quasim* moved another amendment to substitute the words "Total Debt" for the words "total secured or unsecured debts" in clause 19 (b) lines 2 and 3. Government accepted his amendment, but when some members objected to its acceptance and pressed for voting on it, it was declared carried by 60 to 18 votes.

**7th DECEMBER**—The Council devoted almost a couple of hours to the consideration of a single clause, namely clause 19, which, after the disposal of as many as twenty-four amendments was accepted. The discussion relating to these amendments were desultory and the non-official members offered little serious opposition to the

Government as if realising the futility of it. The only instance where a division was demanded was an amendment moved on behalf of the Government. Clause 19 (b) of the Bill provides that when creditors to whom not less than forty per cent. of the total debt is due agree to an amicable settlement, the Board may order the settlement of debts of the remaining creditors in accordance with any fair offer made by the debtor. But an offer shall not be considered by the Board as a fair offer if its terms are less favourable than the terms of the amicable settlement relating to a secured or unsecured debt and also if it contemplates the reduction of any debt to an amount which is less than the original principal of the debt.

The amendment sought to provide that the proviso would not be effective unless creditors to whom there is owing not less than sixty per cent. of the total debt agree to the proposed reduction. When put to vote the amendment was carried by 52 to 12.

By another amendment, Mr. *Hem Chandra Roy Choudhury* sought to provide that the amount of the principal of any debt due to any banking company registered under the Indian Companies Act, 1913 or any other law for the time being in force in British India relating to companies should not be reduced except by an amicable settlement.

The House rejected the motion without any division.

**9th DECEMBER** —The Council to day devoted practically over two hours of its time for consideration of clause 20 of the Bill. Mr. *Sarat Kumar Roy* moved for the deletion of the clause. Although Mr. Roy was supported by several members, his motion was eventually rejected by the House by 60 against 15 votes, Muslim members in a body opposing the motion.

Clause 20 of the Bill provides that if any creditor does not accept any offer made by the debtor which in the opinion of the Conciliation Board is fair and such as the creditor ought reasonably to accept, the Board instead of passing any other order which it is competent to pass, may grant to the debtor a certificate in respect of the debt to which it relates, and thereafter, no Civil Court shall allow to the plaintiff, in any suit for the recovery of such debt, any costs in such suit or any interest on the debt after the date of such certificate in excess of simple interest at the rate of six per cent. per annum on the principal debt as determined by the Board, and no decree for the recovery of such debt shall be executed until all amounts payable in respect of other debts of the debtor, under an award have been paid, or such award, until the expiry of such period not exceeding ten years as may be specified in the certificate.

#### FOUR GOVERNMENT BILLS

Four Government bills namely the *Bengal Wakf Amendment Bill 1935*, the *Bengal Land Registration Amendment Bill, 1934* The *Calcutta Municipal Amendment Bill, 1935* and the *Court Fees (Bengal Third Amendment) Bill* were passed in quick succession.

#### BENGAL AGRICULTURAL DEBTORS' (CONTD.)

**10th DECEMBER** —More than eighty amendments were disposed of in course of its four hours sitting to day when the Council took up the further consideration of the *Bengal Agricultural Debtors' Bill*. Most of these amendments were not moved. The few that were moved by their sponsors were lost without a single division. Only three were carried and that put forward on behalf of the Government. Clause 20 of the Bill the discussion of which commenced on the previous day was passed without any substantial change in it. The House was considering the next clause when it adjourned.

#### ERADICATION OF MALARIA

**11th. DECEMBER** —A number of non-official members strongly urged the Government to launch a comprehensive scheme and raise a loan for combating malaria and other preventable diseases when the Council took up to-day consideration of resolutions on matters of general public interest. Mr. *Munindra Deb Rai Mahashay's* resolution to that effect which gave rise to a lively discussion was carried without opposition from the Government side. Mr. *Deb Rai Mahashay* moved the following resolution —

"This council recommends to the Government to prepare a comprehensive scheme at an early date and raise a loan to save the province from the scourge of malaria and other preventable diseases within ten years."

In moving the resolution Mr *Deb Ras Mahashay* said that three quarters of a century ago Bengal had been a flourishing country but with the introduction of railways and consequent insufficiency of culverts flourishing countrysides had been turned into pestilential areas. Dominion status and provincial autonomy would be meaningless to a nation of weaklings. Unless something was done immediately to save the country, side from the scourge there was no hope for the recovery of the province. As it was a question of life and death to the nation he urged the Government to take the matter seriously into consideration.

#### CALCUTTA MUNICIPAL AMEND BILLS

**12th DECEMBER**—The Corporation of Calcutta and its activities came in for certain amount of criticism at the hands of several Members when the Council met to consider the Bills tabled by non-official members. The twelve Bills discussed during the day related to a variety of subjects, civic, medical and even humanitarian.

*Moulvi Abdul Hakim* moving the *Bengal Cruelty to Animals (Amendment) Bill* created some amusement in the House when he delivered in that connection a harangue on kindness to animals.

#### MUNICIPAL RAILWAYS

Mr *Munindra Deb Ras Mahashay* introduced a bill further to amend the Calcutta Municipal Act with the object of extending the scope of Section 477 of it and also moved for its reference to a Select Committee. The measure sought to empower the Corporation of Calcutta to run municipal railways, start insurance companies and set up municipal banks.

Replying *Sir Byoy Prasad Singh Roy* said it was no use placing responsibilities on the Corporation or any local body which they would not be able to discharge. The proposals put forward by Mr *Deb Ras Mahashay* were characterised by *Sir Bejoy* as fantastic, and at present there were no justification for accepting them although they might come to be realised in a very distant future.

The motion for reference of the bill to a select committee was rejected.

#### RIGHT TO VOTE

Another bill moved by Mr *Munindra Deb Ras Mahashay* which sought to give persons with certain educational qualifications the right to vote in the elections of the Corporation of Calcutta was referred to a select committee with instructions to submit their report as soon as possible.

The bill to be named the Calcutta Municipal Amendment Act, 1935, provided that any person shall be entitled to vote or stand for election as a councillor who had passed the Entrance or Matriculation examination of the Calcutta University or the High School examination or High Madrasah examination of the Board of Intermediate and Secondary Education of Dacca or the School Final examination, the Cambridge Junior examination, the Higher Grade School Final examination, title examination conducted by the Saraswat Samaj at Dacca, or that conducted by the Sanskrit Association or the Final examination of the First Grade Training or Normal schools in Bengal or the Final examination of the Government School of Art.

*Sir Byoy Prasad Singh Roy* said that Government agreed to the reference of the bill to a Select Committee without committing themselves as to their future attitude towards it.

Four other bills with a view to further amend the *Bengal Municipal Act of 1932* moved by *Mr P Banerji* and *Rai Bahadur Satyendra Kumar Das* were referred to Select Committees.

Two bills for the purpose of amending the *Bengal Medical Act VI of 1914* were introduced by *Mr Mukunda Behary Mullick* and *Mr Munindra Deb Ras Mahashay*.

#### PROFESSIONAL LICENSE

*Dr N C Sen Gupta* moved a bill for further amending the Calcutta Municipal Act of 1923. In the Act it was provided that license fees to be paid by some professional men should be Rs 50 for those who paid income tax and Rs 20 for those who did not pay income tax. At the time when the Act was passed income-tax was not payable on income below Rs 2,000. Since then by temporary Acts of the Indian Legislature the taxable income had been reduced with the result that persons having an income of less than two thousand rupees had automatically become liable to pay double the license fees which they had paid before. The

amendments proposed by the bill sought to give effect to the original intentions of the legislature which had been defeated by adventitious circumstances.

Dr Sen Gupta's motion was referred to a select committee with instructions to submit report as soon as possible.

#### BENGAL AGRICULTURAL DEBTORS' BILL

**13th DECEMBER**—As many as four clauses, namely 21, 21 A, 22 and 23, of the Bill were passed when the Council resumed discussion to-day. The day was practically dull, but at the end when the House took into consideration clause 23 of the Bill a certain amount of lively discussion, however, arose over an amendment moved by *Khwaja Sir Nazimuddin*.

Clause 23 lays down the particulars which an award made by a Conciliation Board in respect of the debts of a debtor shall include. Among other things the clause in question also describes the manner and the order in which the amount to be paid by a debtor to each creditor for each debt under the terms of an amicable settlement or of an order of the Board, the order being, the following: First—(1) any amount payable for arrears of rent, and (2) any amount due to the local Government and included in a certificate under the Bengal Public Demands Recovery Act, 1911; Second—any amount payable to creditors on account of debts which are secured by a mortgage, lien, or charge on a property. Third—any amount payable on account of an unsecured debt for which a decree has been passed by a Civil Court, and fourth—any amount payable on account of any other debts.

*Khwaja Sir Nazimuddin* moved that the order of payment as laid down in the clause should be in accordance with any rules to be made by Government under this Act.

It was also made clear by Mr *H P V Townsend* on behalf of the Government that if they retained the order as it was provided in the clause, the Conciliation Board would find it extremely difficult to work the Bill. And according to the legal opinion sought by Government on this point the order as suggested in the clause was unjust. So the Government thought it advisable to lay down that the order should be in accordance with the rules that would be framed by Government when the Bill was passed into Act.

Opposing the amendment moved by Sir Nazimuddin, Mr *Santi Shekharenwar Roy* said that if the Government thought that the arrangement as proposed by the Select Committee was such to make the Bill unworkable it was the duty of the Government to drop it. Instead of doing so the Government of Bengal in their wisdom would make an arrangement that might not be acceptable to the House or might create a great disorder among a large section of the people. He thought Government's asking for power to make the arrangement was neither fair for themselves to the House nor to the people. He protested against such attitude of the Government.

Nawab Mussaroff Hossain Raja Bhupendra Narayan Singh of Nashipur and many others also opposed the amendment.

When put to vote the amendment was declared carried by 64 to 18 votes.

Clause 21 dealt with the adjustment of an insolvent debtor's debt, and Clause 22 laid down the procedure for determination of what portion of an insolvent debtor's property would be exempted from sale, whereas, Clause 21 A described certain debts whose principal could not be reduced.

**14th DECEMBER**—The Council passed as many as four clauses to day and incorporated a new one in it. All the amendments were carried some of which were put forward at short notice and came from the Government side. In certain cases the recommendations of the Select Committee were substituted by fresh provisions.

The House, as has been the case for some days past, was thinly attended and opposition from non official members was practically nil.

At the far end however discussion on clause 27 which provided that no settlement of the debt of a member of a Co operative Society who owes any amount to such Society should be valid without the previous approval of a prescribed authority, seemed to evoke certain amount of interest among the members. But while Hazi Kamadul Haque was speaking against the provision the Council adjourned till the 16th.

By an amendment of Mr *H P V Townsend* the following provision was incorporated in clause 26 dealing with the distribution of the proceeds of sale of the property of a debtor.

Notwithstanding anything contained in the Bengal Public Demands Recovery Act, 1913, if any amount payable under an award in respect of a debt secured by a mortgage lien or charge on any immovable property of a debtor which is exempted from

sale under the said Act can not be recovered as a public demand, the Certificate officer shall recover such amount by the sale of such immovable property and shall pay to the debtor the balance (if any) remaining after payment of such amount. The procedure under the Bengal Public Demands Recovery Act, 1913 shall be applicable to such sale.

The new clause incorporated in the Bill which was termed clause 26-A ran thus —

Notwithstanding anything in any other Act, when any land mentioned in the list referred to in clause (a) of sub-section (1) of section 23 is sold in execution of a decree or of a certificate under the Public Demands Recovery Act, for arrears of rent, the balance of the sale proceeds which remains after the payment of the amounts referred to in clauses (a), (b), and (c) of sub-section (1) of section 169 of the Bengal Tenancy Act, 1886, or in clauses (a), (b) and (c) of sub-section (1) of section 26 of the Public Demands Recovery Act shall be paid to the Certificate Officer or retained by him as the case may be, for distribution in the manner provided in section 26 of this Act.

Speaking on his amendment seeking the omission of clause 27 *Kazi Emdadul Haque* said that if the members of the Co-operative Society were excluded from the benefits of the Bill he did not know for whom the Bill was meant. There was hardly any member of the Co-operative Society who did not borrow outside. The Co-operative movement had become a failure in the country and the provision would further tend to destroy it. It was strange that while private individuals and joint stock banks had got to suffer this Act would not touch the Co-operative Societies. The speaker could not understand the reason of this discrimination.

**15th & 17th. DECEMBER** —The House passed as many as eight clauses, namely 27, 27A, 28, 29, 30, 32, and 33. From the rate of progress made on Monday in the disposal of amendments it appeared that the consideration of the Bill might be finished by to-day (17th). During the whole day there was practically no sustained debate. But in the forenoon, when the House was discussing clause 27 of the Bill, a certain amount of opposition was however offered by a few non official members against the retention of the clause. An amendment for deletion of the clause moved by *Kazi Emdadul Haque* was eventually rejected by 39 to 18 votes.

The clause 27 of the Bill provides that no settlement of the debts of a member of a Co-operative Society registered under the Co-operative Societies Act 1912 who owes any amount to such society, shall be valid without the previous approval in writing of a prescribed authority.

*Kazi Emdadul Haque* who started the discussion on Saturday last (14th) and was in possession of the House wanted as previously stated the deletion of the clause 27. Referring to the provision in the clause that the settlement of the debt of a member of a Co-operative Society might be valid with the previous approval of a prescribed authority the *Kazi Sahib* said that there was hardly any chance of the prescribed authority giving his consent to such settlements. The depositors in the banks of the Co-operative Societies according to him were mainly Government officials.

Clause 28 provides that no civil or Revenue Court shall entertain a suit, application or proceeding against the debtor in respect of (1) any debt included in an application or in a statement, proceedings in connection with which are pending before a Conciliation Board, or (2) any debt for which any amount is payable under an award unless such award has ceased to subsist.

Clause 29 describes the cases when a Board can call for stay and abatement of suits and proceedings before a Civil Court.

Cases where the execution of decrees certain and certificates are barred have been enumerated in clause 30. Whereas clause 31 lays down certain decrees which are to be treated as nullities, Clause 33 provides that no appeal or application for revision shall be against any decision or order of or award by a Board except as provided in this Act.

The House was considering clause 34 when it adjourned.

#### BENGAL COURT OF WARDS AMENDMENT BILL

**15th DECEMBER** —A lively discussion extending over two hours marked the proceedings of the Council when it took into consideration the Bengal Court of Wards Amendment Bill as reported by the Select Committee. The discussion arose over a new clause, namely clause 12, which provided that the Court of Wards when it found



itself unable to save the estate it might instead of releasing the estate to the proprietor hand it over to the trustees selected from the creditors. Many members characterised the provision as extraordinary and objected to its inclusion in the Bill.

Sir B. L. Mitter moved that the Bengal Court of Wards Amendment Bill, as reported by the Select Committee, be taken into consideration. Mr W. W. Page by way of amendment moved that the Bill be recommitted. Mr Page's motion was rejected by 67 against 24 votes and the House took into consideration the Bill.

The Council was discussing the Bill clause by clause when it adjourned.

#### BENGAL MUNICIPAL AMEND BILL

The Hon'ble Sir Bhoj Prasad Sinha Roy introduced a Bill described as the Bengal Municipal (Amendment) Bill, 1935, with a view to further amend the Bengal Municipal Act of 1932, which was referred to a Select Committee consisting of fifteen members with instruction to submit their report as soon as possible.

The object of the present bill, as the statement of objects and reasons lays it down, is mainly to remove certain anomalies to which attention of the Government has been drawn from time to time. The Bill also incorporates some of the amendments proposed by certain non official members of the Legislative Council in the bills introduced by them in the Council during the last two years. Besides introducing a few important changes in regard to franchise qualifications and the term of the body of the appointed commissioners of newly created municipalities, and providing for a right of appeal with respect to the preparation of the electoral roll, provision has been made for allowing certain concessions in regard to the payment of the conservancy rate to mills and factories, etc. contributing towards the cost of a sewerage scheme. Practical experience having shown that provision of section 463 is unworkable without a provision for the licensing of dogs, it is proposed to permit municipalities to levy a tax on dogs at their discretion, to prescribe the compulsory wearing of tokens by licensed dogs and to destroy subject to appropriate safeguards dogs not wearing tokens. The bill also provides for the proper control of fairs and melas within municipalities. Opportunities had also been taken to remove certain practical difficulties experienced in the working of the Act.

#### COURT OF WARDS & HOWRAH BRIDGE AMEND BILLS

**19th DECEMBER**—A marked progress in the transaction of official business was the feature of the Council to-day which passed two Bills, namely the *Bengal Court of Wards Amendment Bill, 1935* and the *Howrah Bridge Amendment Bill, 1935*.

#### BENGAL WATER HYACINTH BILL

On the motion of the Hon'ble Nawab K. G. M. Farouki the House also circulated the *Bengal Water Hyacinth Bill, 1935*, for the purpose of eliciting public opinion thereon by February 4, 1936.

The Bengal Water Hyacinth Bill was welcomed by the members of the Council. While according his whole-hearted support to the principle of the bill, Mr V. K. Basu said Government would have shown more expedition and speed in carrying this important measure in the Council and trying to eradicate this pest than they did show in eradicating the other pest, namely the money lenders of Bengal in connection with the *Agricultural Debtors' Bill*. The loss, said Mr Basu, to the country due to the ravages of the Water Hyacinth pest was by no means less important than any other loss.

#### BENGAL AGRICULTURAL DEBTORS' BILL

At the far end of the day when the Bengal Agricultural Debtors Bill was being discussed the House adjourned.

**20th DECEMBER**—The Council passed to-day without a division the *Agricultural Debtors Bill, 1935*. The Bill evoked a vehement opposition from members representing the middle class population. Some of them characterised it as smacking of communism, and a scheme which would scare away the finances which the agriculturists so badly needed. The Muslim members of the Council welcomed the Bill as a measure which, if not wholly, would partly ameliorate the distressed condition of the agriculturists. The Council was then prorogued.

# The Bombay Legislative Council

July Session—Poona—8th. July to 29th. July 1935

## BAN ON PUBLICATION IN NEWSPAPERS

The July session of the Bombay Legislative Council commenced at Bombay on the 8th July 1935. An official Bill prohibiting the publication in the newspapers of the names, addresses, pictures and other details concerning a child or young person involved in offences was passed.

The object of the Bill was to prevent permanent injury that may be caused to the welfare of a child or young person by such publication. The punishment for contravening the provisions of the Bill was imprisonment of either description not exceeding two months or fine or both.

The bill laid down "No report in any newspaper or news-sheet of any offence by or against a child or young person or of any proceedings in any court relating to such offence shall disclose the name, address or school or include any particulars calculated to lead to the identification of any such child or young person, nor shall any picture be published as being or including a picture of any such child or young person."

Mr L. R. Gokhale moved an amendment that the following words be added to the clause "If such publication is against the welfare of a child or young person and likely to cause permanent injury to such child or young person." He explained that as the Bill stood, even information relating to the offence against a child, such as the abduction of a child for thieving purpose, in which case the publication would not cause any injury to the welfare of the child, would come under the new purview of the Bill. The amendment was, however, lost.

## REGISTRATION OF TRUST BILL

Dewan Bahadur S. T. Kamble, Minister for Education, next introduced a Bill for registration of trusts created or existing for public purposes of a religious or charitable nature and for filing and audit of accounts of such trust with a view to ensuring better management thereof.

The statement of the objects and reasons of the Bill stated that there was a considerable body of public opinion in favour of establishing adequate control over the administration of trusts which were frequently mismanaged. There was at present no adequate legal machinery for establishing effective control over such trusts. The object of the Bill was to secure further remedy by making compulsory registration of more important trusts and periodical submission for audit of their accounts. At present the Government intended to restrict operations of the Bill only to those trusts which were created or existed for public purposes, of a charitable or religious nature for the benefit of Hindus, with gross income of not less than Rs. 2,000. But power was taken to extend the benefit of the Act to public trusts pertaining to communities other than the Hindu community, except those to which the Mussalman Wakf Act applied.

The Minister emphasised that the Bill did not seek to curtail the privileges or rights of trusts but sought only to prevent maladministration and management. The House then adjourned.

**9th JULY**—The Council discussed during the whole day the first reading of the Bill. Discussion on the Bill revealed general agreement among the members on the principle of the Bill.

Deo Bahadur Kale, Leader of the Opposition, welcoming the measure, asked why the Bill was not made applicable to all communities.

Mr N. S. Bakhale supported the principle of the Bill, but pleaded for more drastic provisions to control the management of trusts. He cited the Madras Religious Endowments Act and desired that the Bill should be drawn on those lines. He feared that the present provisions of the Bill would not bring about the desired results.

*Rao Bahadur Chitale* gave half hearted support to the Bill. He pointed out that while in Madras the management of trusts was in the hands of the people themselves, the present Bill tended to bring the management into the hands of the registrar. He was afraid that the Bill had not provided for the protection of the rights and privileges of trusts.

*Sir Rafuddin Ahmed*, while supporting the Bill, suggested that the Wakf Bill might be made applicable to the Hindus in the place of the present Bill.

*Mr L. D. Gokhale* favoured the circulation of the Bill for eliciting public opinion before it went to the Select Committee.

*Mr J. A. Madan*, Secretary to the Government, Revenue Department, answered in detail all the points raised by the members. He felt that the feeling in the province was not in favour of introducing a more drastic Bill than the present one. The Government had provided in the first instance that the Bill be applied to the Hindu community alone, because there had been no representation for such a measure from other communities. But if other communities wanted it, the measure could be extended to them also, as provided for in the Bill.

After the Minister for Education who introduced the Bill had replied, the House passed the first reading of the Bill.

#### RURAL UPLIFT IN BOMBAY

**10th JULY**—*Sir Shah Nawaz Bhutto* Minister for Local Self Government, moved in the Council to-day a resolution recommending a plan for the distribution of Rs 7 lakhs grant to be received by the Government from the Government of India for village improvement. The Minister explained the working of Sir Frederick Sykes village improvement scheme in the province and stated that the Government had decided to spend a major part of the present grant for expanding this scheme. He concluded that considering the vastness of the problem this amount could not carry them far but it was their desire that it should be used to the best advantage and in the best interest of the rural classes. According to the plan of distribution contemplated in the resolution, the Directors of Industry and Agriculture get Rs. 94,000 for the improvement of livestock, poultry farming, tanneries, fisheries, etc., and the Commissioners of Northern, Central and Southern Divisions and Sind Rs. 1,08,000, Rs. 2,02,000, Rs. 1,58,000 and Rs. 1,08,000 respectively on the basis of the rural population for similar purposes.

The resolution also recommends that the amounts allotted to the Divisions should be distributed amongst the Collectors of districts in such a way that Rs 2 lakhs should be placed at their disposal for being spent as discretionary grants and the balance through the District Committees or other local bodies.

*Sir Shah Nawaz* stated that while the success of Sir Frederick Sykes scheme varied with the local conditions it had been most successful in the Central Division and least successful in Sind. The Government's proposals had been accepted by the Government of India. The Government recognised the importance of broad casting as a means of propaganda and three experimental centres at the district headquarters were being worked satisfactorily. But this being very expensive, unless the Government's financial conditions considerably improved, it was not possible to undertake village broadcasting on a large scale.

*Mr J. G. More* (Sholapur) moved an amendment altering the amounts allotted in the original resolution, increasing the figures for the Directors of Industries and Agriculture and decreasing the amounts to the Commissioners. He stated that it was essential to improve the economic condition of the people before calling upon them to take advantage of educational and other facilities.

*Rao Bahadur Pamlkar* suggested that the Government should concentrate on the improvement of a single industry instead of distributing small amounts to different industries.

*Syed Miran Muhammad Shah*, referring to Sind, favoured the improvement of the existing industries instead of introducing new ones.

*Shank Abdul Majid* urged concentration on a particular industry.

*Mr Bakkie* asked what the Government proposed to do to meet the recurring expenditure in connection with their plans. Did they expect an yearly grant from the Government of India? The speaker strongly urged the Government to take up sinking wells for the Depressed Classes or otherwise ameliorate their conditions with this grant.

*Mr N. E. Navle* suggested that the Bombay Government should make an equal grant of Rs. 7 lakhs for village improvement.

Mr C B Clayton, Commissioner of the Central Division, pointed out that the Collectors and the District Executive Committees would be the best judges as to the form in which village uplift should be pursued in their locality and representations could be made to them on the subject by the local people.

Mr M H Gasdar opined that this move on the part of the Government was by way of competition with Mr Gandhi's village uplift work but, in any case, he welcomed it. He suggested that soap making and tanning were not suitable to village conditions.

11th JULY.—The village uplift scheme resolution moved by Sir Shah Nawas Bhutto, was passed by the Council to day, the only amendment to the resolution having been withdrawn.

The Minister, replying to the debate, refuted the suggestion made by certain members that the Government's village improvement scheme was a counter move against the Congress gaining power among the masses. He pointed out that the Government had been devoting attention to this subject long before the Congress came forward with its movement.

#### THE MUSALMAN WARP BILL

Dewan Bahadur S T Kamble moved the second reading of the Mussalman Waki Bill as amended by the Select Committee.

Sir Rafiuddin Ahmed criticised the Bill on the ground that it did not go far enough to meet the needs of the situation, but preferred to support the Bill in the absence of nothing better.

Mr Gasdar supported the Bill but felt that the Bill had not received that amount of attention it should have at the hands of the Government.

At the suggestion of the President, the House proceeded to consider the Bill clause by clause. The House then adjourned till the 15th July.

#### CHILD WORKERS IN SHOPS

15th JULY.—Mr R R Bakhale introduced to-day a Bill to prohibit the employment of children and to limit the hours of work of young persons in shops and to provide for their early closing.

The Bill, which is largely modelled on the lines of shops legislation in Great Britain, provides that children under twelve years shall not be employed in shops, that young persons under the age of eighteen shall not be employed for longer than 70 hours in one week and that on at least one day in each week no shop assistant shall be employed in the shop after half past one in the afternoon. The Bill also lays down that the local authority be given the power to be confirmed by the Governor in Council fixing the hours on the several days of the week at which all shops or shops of any specified class are to be closed. The hours so fixed shall not be earlier than seven on any day of the week. The Bill applies in the first instance to Bombay City, Poona City and Cantonment and cities of Ahmedabad, Karachi, Solapur and Hubli.

Asking the House to support the First Reading of the Bill, Mr Bakhale emphasised that long hours of work in shops and restaurants were detrimental to the health of assistants and there was no law or rule regulating the conditions of employment of shop assistants. He intimated that it was his intention to move for circulation of the Bill for eliciting public opinion.

Non official members generally expressed agreement with the principle of the Bill.

Mr Jennings, Director of Information, who had been specially nominated in connection with this Bill, stressed the administrative difficulties that would arise in putting it into practice.

The Council passed the First Reading of the Bill after the Home Member, on behalf of the Government, stated that the Government would not oppose the First Reading on the clear understanding that they were not bound to support the measure at the subsequent stages. On Mr Bakhale's motion, the Bill was circulated for eliciting public opinion within six months.

#### BOMBAY CORPORATION FRANCHISE LOWERING BILL

16th JULY.—For the fifth time in the course of the last few years, a Bill to lower the franchise of the Bombay Corporation from Rs. 10 rental to Rs. 5 rental figured in the Council to day. The Bill was finally rejected at the First Reading itself by 49 against 20 votes.

Rev Bahadur Dole, mover of the Bill, pointed out that only 140,000 out of 11,35,000 were enfranchised at present.

*Dr Collaco* and *B S Kamat* felt that the Bill was inopportune in so far as the franchise was going to be lowered with the introduction of the new constitution.

*Mr L R Turase* was afraid that the lowering of the franchise would increase corrupt practices. *Mr L R Gokhale* and *Sir Rafiuddin Ahmed* wholeheartedly supported the measure. *Mr Gasdar* pointed out that lowering of the franchise in Karachi had only diminished corrupt practices. *Mr Bakhale*, strongly supporting the Bill, said that they had waited too long and could not wait any more.

*Sir Shah Nawaz Bhutto*, Minister for Local Self Government, assured the members of the Government's sympathy with the subject of the Bill, but there were innumerable practical difficulties in passing the measure of this kind just then. He appealed to the House to wait, assuring the members that the Government would introduce an amending Bill to lower the franchise before the next elections to the Bombay Corporation in 1938.

The President declared for the 'Ayes', when the Bill was put to the House, but the Government claimed a division which resulted in 49 voting against and 20 for the Bill.

#### INDIAN MOTOR VEHICLES TAX AMEND BILL

**17th JULY**—That the powers of the local Legislature and local Government were wide and sufficient enough for the purpose of the administration of the Province, that the fullest powers were left with the Local Government to levy new additional taxes for the good government of the Province provided the previous sanction of the Governor-General was obtained in certain circumstances, that it was not ultra vires of the local legislature to raise revenue for the Local Government—were the rulings of the President of the Council to day on important points of order raised in the House on the introduction of an official Bill to amend the Indian Motor Vehicles Act 1914. The Bill sought to remove doubts regarding the power of the Government to appropriate for purposes of provincial expenditure fees for renewal of registration certificates for motor vehicles and make it clear that the Government have always had power to levy such fees.

Four separate points were raised all of which the President ruled out whereafter the first reading of the Bill was proceeded with.

The first point of order was raised by *Mr Soman* (Satara), who contended that the power of the local Legislature to levy a new or additional tax was confined only to taxes mentioned in the schedule or Scheduled Taxes Rules, that the present Bill was ultra vires of the Legislature as it sought to raise this amount for purposes of the local Government and thirdly that this very taxation on motor vehicles was covered by the Motor Taxation Bill which was rejected at the last session and that under the Standing Orders a question once considered by the House could not again be brought up within six months.

As regards the first point, the President held that it was not correct to assume that the power of the local Legislature to levy a new or additional tax for purposes of local Government was confined only to taxes mentioned in one of the Scheduled Taxes Rules. The President observed that if that view was allowed to prevail, good government in the province would be greatly handicapped and might come to a collapse. Under the provisions of Section 80-A of the Government of India Act and Rules under it, fullest powers were left with the local Government and the local legislatures to levy new and additional taxes for good and peaceful government of the province, with one important exception in certain circumstances, namely, that of the necessity of obtaining the previous sanction of the Governor-General. Another important exception was that no Act of Parliament could be repealed or altered by the local Legislature.

Referring to the two schedules under the Scheduled Taxes Rules, the President observed that under the Schedule 1, local legislatures had been given the power without the previous sanction of the Governor-General to legislate and raise taxation for purposes of local Government. Under Schedule 2, the local Legislature can legislate without the previous sanction of the Governor-General and raise taxation for purposes of local authorities, but in either case the local Government and the local legislature could go beyond the two schedules and legislate in the best interests of the administration of the province to raise taxation not referred to in the two schedules, subject to the condition that the previous sanction of the Governor-General should be obtained.

Regarding the second point that the Bill was ultra vires of the local legislature, the President pointed out that this question had been practically decided in answering the first point and added that the distinction that had been sought to be made between the provincial revenues for the Government of India was erroneous. The word "for

purposes of the Government of India" occurring in the Devolution Rules only meant for India as distinct from any other part of the British Empire and not to the Central Government as distinct from any other part of the British Empire and not to the Central Government as distinct from the Provincial Government. Under Sub-Clause (f) of Rule 14 (1) reading it with Sub-Section (3) of Section 80-A of the Government of India Act, it would appear that the taxes now proposed to be levied by the new Bill would lawfully be imposed for provincial purposes and would be revenues allocated to the local Government under Rule 14. The contention that the Bill was ultra vires was, therefore, untenable. As for the third point, the Chair held that the Bill before the House was distinctly different from the one rejected by the House in the last session.

Mr M H Gurdar, raising another point of order asked whether any subordinate legislature could alter the Central Act so as to make its purpose absolutely different.

Mr F N Jog, on yet another point of order, granted that the Government had the power to levy taxes as contemplated by the Bill and said that the present Bill was redundant and sought more to interpret the existing law than to introduce new legislation.

The President ruled all these points out of order after which the consideration of the Bill was proceeded with.

**16th JULY** —By a majority of 69 to 19 votes, the Council passed the first Reading of the Motor Vehicles Act Amendment Bill to day.

On behalf of the Government, it was stated that the passing of any amendments to the Bill would seriously cripple the Government's finances.

Non-officials, on the other hand, contended that the Bill sought to arm the Executive with the widest powers in the matter of levying fees for general revenues thereby usurping the powers of the legislature.

Supporting the Second Reading of the Bill, the Finance Member stated that it was impossible for the Government to accept any of the amendments tabled by the Opposition members, but gave an assurance that the Government would revise the schedule of taxes on the motor vehicles, when they brought forward the new Bill.

There was again strong opposition to the Bill from certain non-official members. The House, thereafter, proceeded to consider the Bill clause by clause. A series of amendments had been tabled to the schedule of taxes under the Bill.

Referring to these amendments, the President ruled that the amendments would be in order only if they referred to the existing or past conditions. Then the amendments would require the previous sanction of the Governor.

Amendments were, accordingly, altered, the President permitting the members to do so.

Mr Gurdar (Karachi) who had the largest number of amendments pointed out the great hardship to which drivers of motor vehicles were put to by having to pay Rs. 20 for licence fee and Rs. 5 for renewal thereof etc. He emphasised that it was a professional tax and said that its incidence was several times higher than the income tax and affected the very poor class of people. He challenged the Government to bring in a measure of this kind in the reformed legislature.

All amendments were lost by large majorities, the Government refusing to accept any on the ground that they would make serious inroads on the Government revenue.

The House was considering amendments to the schedule of rates when it adjourned.

**19th JULY** —The Government have and have always had the power to levy certain fees under the Indian Motor Vehicles Act and appropriate the same as part of their general revenues for provincial expenditure. All doubts on these points which were brought prominently before the public by the case against Mr Nariman were removed by the passing of the Motor Vehicles Act Amendment Bill by the Council to-day. All non-official amendments were rejected.

#### THE MUSSALMAN WAKF BILL

The second reading of the Mussalman Wakf Bill was next proceeded with to-day. Amendments to the clauses were being considered, when the House adjourned.

#### NON OFFICIAL RESOLUTIONS

**22nd JULY** —A non official resolution expressing profound sorrow at the loss of life in the recent earthquake in Quetta and adjacent areas and offering heartfelt sympathy with the survivors was passed in the Council to-day.

The Council rejected a resolution recommending to the Government the necessity and the desirability of giving more comprehensive, direct, detailed, prompt and satisfactory answers to questions put by the members of the House than hitherto.

Another resolution recommending to the Government to take effective and immediate steps to check the spread of gambling in American futures in the presidency was under discussion, when the House adjourned. Practically every speaker supported the last resolution.

#### GAMBLING MENACE IN BOMBAY

**23rd JULY**—The Bombay Police should be permitted by the Telephone Company to listen in to the suspicious telephone conversations in order to trace betting transactions in American cotton futures.

This was among the various suggestions made by the *Bombay Police Commissioner* for checking *satta* gambling stated the *Home Member* in the Council, to day, winding up the debate on the non official resolution urging the Government to take effective and immediate steps to check *satta* gambling. The Commissioner also suggested the extermination of habitual gamblers and empowering the Police to raid suspected gambling dens without a warrant.

The *Home Member* admitted that these were very wide powers and added that the Government, after considering these and other suggestions, would bring up a draft bill before the House and also ask for extra Police to deal with the evil.

The resolution which was supported by every speaker was passed.

#### THE BOMBAY POLICE ACT AMEND BILL

**25th JULY**—The official Bill to amend the Bombay District Police Act of 1890 and the City of Bombay Police Act of 1902 aroused a keen discussion in the Council to day. The Bill seeks to clarify certain anomalies relating to the conditions of service of members of the Indian Police force. It stands now to provide that the local Government have the authority to dismiss the Superintendent, Assistant Superintendent and Deputy Superintendent of Police. These officers belong to the Indian Police of provincial service and are governed by Civil Services (Classification Control and Appeal) Rules framed by the Secretary of State under the Government of India Act, which provides for the dismissal of the members belonging to these services. The local Government have no power to dismiss any member of the Indian Police as such power of dismissal vested in the local Government is inconsistent with the Government of India Act. The Bill among other things, seeks to set right this anomaly by divesting the local Government of this power.

Non-official members were divided in their opinion on the Bill. One section led by *Sir Rafiuddin Ahmed*, ex-Minister, saw in the Bill an attempt to deprive the local Government of the power to dismiss the Police officers in view of the impending Reforms. These members asked how this anomaly had remained unnoticed for nearly fifty years and why it was sought to be set right just now.

*Messrs M H Gueadar, L R Gokhale and Gangoshi* opposed the Bill on the same ground. The supporters pointed out that the very fact that the Bombay Government never exercised this power so far showed that it was not intended to be exercised by them. They thought that the Bill only sought to bring the Bombay Act in consonance with the Government of India Act.

The *Home Member*, replying, reiterated that all that was sought to be done was to bring the present Act in consonance with the Government of India Act. This anomaly was noticed only two years ago and that by the Government of India at whose suggestion this amending Bill was brought forward.

The House divided on the first reading which was passed by 62 votes against 17. The Bill subsequently passed all readings, after which the House proceeded to consider supplementary grants.

#### ORGANISATION OF MARKETING

**26th JULY**—The Bombay Government have considered it necessary to appoint an additional marketing officer for the presidency to deal with live-stock products, the cost being met from provincial revenues. The Council to-day sanctioned this appointment by voting for a token grant of Rs 10 made by the Minister for Education.

A supplementary demand for Rs 3,30,147 for expenditure on account of the introduction of the Bombay Weights and Measures Act of 1932 aroused a keen debate in the House and was finally passed. Before the House rose for the day all the demands were passed.

## PREVENTION OF ADULTERATION BILL

**27th JULY** —*Sir Shah Nawaz Khan Bhutto* Minister for Local Self-Government, introduced in the Council to day a Bill to amend the Bombay Prevention of Adulteration Act, 1925. The Bill is the outcome of the conference of representatives of the Chemical Analysts' Department the Public Health Department, the Haffkine Institute, Bombay, the Legislative Council the Bombay Municipal Health Department, the Chamber of Commerce and ghee and butter trade generally, held in 1934, which discussed the general question of prevention of adulteration of foodstuffs with particular reference to the amendment of the Bombay Prevention of Adulteration Act.

Amendments, among other things, lay down punishment of imprisonment, for subsequent offences, to make it more deterrent and empower inspectors to enter suspected premises at night. The Minister hoped that the Bill would receive full support, as it was a popular Bill having been brought up in response to public agitation. *Dr De Souza* (Bombay City) suggested that the Bill should be sent to the Select Committee and all details thoroughly examined. *Mr W. L. Lely* (Bombay Chamber of Commerce) desired the scope of the Bill to be widened to include drugs and chemicals also and moved an amendment to this effect. The Minister pointed out that the Government were in full sympathy with the object of the amendment but it was doubtful if drugs were a provincial subject and also such amendment, if carried, would entail the setting up of separate machinery for working it at an enormous cost, which was not possible under the present financial circumstances. The amendment was withdrawn.

After the first reading was passed, consideration of the second reading was postponed.

## CO-OPERATIVE SOCIETIES BILL

*Dewan Bahadur S. T. Kamble*, Minister for Education moved a Bill to amend the Bombay Co-operative Societies Act with a view to empowering the Government to guarantee payment of principal of debentures issued by land mortgage banks in accordance with the resolution approved by the Council in March last. At present, the Government is empowered to guarantee payment of interest only on such debentures. The Bill was passed before the House rose for the day.

## BOMBAY DISTRICT POLICE ACT AMENDMENT BILL

**29th JULY** —In the Council to day *Sheikh Abdul Majid* was asked by the President to conclude his speech when, in opposing the official Bill to amend the Bombay District Police Act, *Mr Abdul Majid* referred to the Karachi firing of March 19 last. The Bill sought to give similar powers to the District Magistrate of Karachi as now held by the District Magistrate of Bombay and Suburban District and the Commissioner of Police, Bombay, to extern persons not born in their localities who had been convicted twice of certain offences. *Mr Abdul Majid* said that the authorities had enough powers now to deal with any situation and referred to the Karachi firing. The Home Member questioned the relevancy of this reference and the Chair, agreeing with the Home Member, asked *Mr Abdul Majid* to refrain from referring to this subject. *Mr Abdul Majid* explained that he referred to the incident as an instance of the Government's wide powers "even to shoot down people and protested against the Karachi District Magistrate, "against whom my community has a grievance", being given additional powers. The President again pointed out that the subject had nothing to do with the Bill under discussion and asked the member to speak on the Bill. *Mr Majid* resumed his seat after which the Bill was passed.

## PREVENTION OF ADULTERATION BILL

The Council was then prorogued after passing three other official Bills, including a Bill to amend the Bombay Prevention of Adulteration Act.

## Autumn Session—Poona—23rd Sept to 25th. October 1935

## BOMBAY DELIMITATION COMMITTEE'S REPORT

**23rd SEPTEMBER** —The fact that the local Governments had to conform to a time-table in the matter of submitting the reports of Provincial Delimitation Committees in order that the Government of India Act might be put in operation as early as possible was mentioned as a reason for the Government fixing to-day for discussing



the report of the Bombay Presidency (Proper) Delimitation Committee's Report by Sir Robert Bell, Home Member, in the Council. The Home Member regretted the inconvenience that might have been caused to the members by this arrangement, but emphasised that the Government had done everything in their power to avoid inconvenience to the members.

Mr H M Girdar (Karachi) pointed out that most of the Sind members were absent and they would be deprived of expressing their opinion on the Sind Delimitation Committee's report, if that were taken up next day.

Sir Robert stated that with a view to minimising inconvenience to the members, the Government informed telegraphically Sind Collectors last Thursday, advising them to inform M L C's in their districts of this debate.

Discussion on the report was then proceeded with. Mr R R Bakhale objected to the creation of special Labour constituencies and cited the recommendations of the Lothian Committee in support. The Home Member intervening, stated that the Government held the same view that special Labour constituencies should be created, only where trade unions were non-existent or weak. Mr L R Taisree voiced the protests of the Indian Merchant's Chamber Bombay, against the allotment of only one seat to the Chamber while two seats had been allotted to the Bombay Chamber of Commerce and one to the Bombay Presidency Trades Association, which latter, he contended, did not deserve any representation at all. He claimed that while the Indian Chamber had membership of 600 the European Chamber had only 200 and the Trades Association certainly less than 100.

Sir John Abercrombie (Bombay Chamber) stated that the representation of the Bombay Chamber was included in European representation which was fixed by the Communal Award.

Sir Robert Bell, Home Member, intervening, further elucidated this position.

Sir John Abercrombie, continuing, stressed that the Bombay Chamber claimed to represent the commerce of Bombay, that what they lacked in quantity they had in quality and further that they were having the same representation as had been given now in the local Council.

Khan Bahadur Valabhai Patel protested against what he termed as the step-motherly treatment to Gujarat which despite its commercial importance, had been assigned a disproportionately low representation.

Mr C P Bramble (nominated) justified the allotment of one seat to the East India Cotton Association which, he said, was not content to be subordinate either to the Bombay Chamber or the Indian Chamber of Commerce.

The members of the Council who were members of the Delimitation Committee also took part in the debate, explaining the various difficulties which the Committee had to deal with. Further discussion was adjourned.

**25th SEPTEMBER**—While Mr M H Gaudar and Khan Bahadur Vilas Bakhale generally supported the report, particularly the provision of the single member constituencies, Ahsan Abdul Majid and Mr Bakhale disapproved of the report, the former voicing the protests against the single member constituencies. Mr Goverdora and Mr S H Frater pressed respectively the claims of the Depressed Classes and the Anglo-Indians for due representation.

#### BOMBAY PUBLIC TRUST REGISTRATION BILL

The Council also discussed to-day the Government Bill (as amended by the Select Committee) for the Registration of Trusts created or existed for public purpose of religious or charitable nature and for filing and auditing of accounts of such trusts with a view to ensuring better management thereof. The provisions of the Act will in the first instance apply to public trusts solely for the benefit of Hindu community, and having an annual income of not less than Rs. 1,000, though the Government reserve the power to extend the provisions to any other specified trust or class of public trust.

**26th SEPTEMBER**—Non-official amendments seeking to enlarge the scope of the Bill to include trusts with gross incomes of less than Rs. 1,000 also, were defeated and the original clause (as amended by the Select Committee) laying down that the Bill be applicable to trusts with income of not less than Rs. 1,000 was carried. A feature of the day's debate was the large number of points of order and other legal difficulties that arose at every stage. Rao Sahib Kulkarni sought by

another amendment, to provide for more registration of trusts with income of less than Rs 1,000 but after a good deal of discussion, it was found that the amendment effected many other clauses of the Bill and was opposed by the Government and defeated. Mr S D Saklatwala's amendment for deletion of the clause which confers on the Government authority to extend provisions of the Bill to other specified trusts was ruled out of order, as it was an amendment of the principle of the Bill which had been accepted in the first reading.

The House was faced with more legal difficulties, arising out of another non-official amendment seeking to invest the Legislature with power to extend the provisions of the Bill to other specified trusts (instead of the Government), when the House adjourned.

**27th SEPTEMBER**—The explanation embodied by the Select Committee in the Bill that the Hindu community shall be deemed to include the Jain community was ruled out of order by the President to-day. The question arose over an amendment moved by Mr Tolani (Sind) that the Hindu community should include Sind Sikhs also for the purposes of this Act. Mr Tolani tried to argue that Sind Sikhs were Hindus.

The Legal Remembrancer held that they were not.

The President agreeing with the latter ruled the amendment out of order on the ground that the main principle of the Bill was that it was applicable to Hindus only.

Earlier, the House accepted an amendment by a non official member to the effect "that the Government on the motion of the Legislative Council or otherwise may, after previous publication by notification in the Bombay Government Gazette, direct that all or any of the provisions of this Act shall apply to any other public trust (other than the Hindu trusts with not less than a gross income of Rs 3,000) or class of public trusts."

The President, in the first instance, declared for "Noes", but on a division being claimed, it was found that 55 voted for and only 4 against the amendment as amended.

This amendment was accepted in the place of the original clause, which gave the Government alone discretion to apply the provisions of the Bill to trusts other than Hindu trusts with a gross income of not less than Rs 1,000.

**28th SEPTEMBER**—Can a statutory motion passed by the local Legislative Council modifying or rescinding the rules made by Government for the purposes of any Act have binding authority and finality? This question was raised in the Council, at the tag end of to day's sitting by Mr A C Sen, Legal Remembrancer to the Government, during the debate on the Bill. Mr Sen held that no attempt to invest the Legislature with power to pass such a motion would be *ultra vires* of the Legislature. The question arose over the sub-clause added by the Select Committee on the Bill to the last clause, dealing with the power of the Government to make rules under the Bill. The sub-clause stated that the Rules made under this section "shall be liable to be modified or rescinded by a statutory motion of the Council and such rules shall, after notification in the local Official Gazette, be deemed to have been modified or rescinded accordingly." Mr Sen raised a point of order, that the sub-clause was *ultra vires* of the local Legislature and hence of the Select Committee as well. He pointed out that such provision invested a motion of the Council with authority, which was inconsistent with Rule 24 of the Bombay Council. The statutory motion was, in effect, a resolution and the latter could have only recommendatory force and once it was given binding power, it would cease to be a motion. Further, under the Government of India Act, even Houses of Parliament had morally power of modifying rules only subject to the Government's discretion to accept them. What the sub-clause sought was, therefore, to confer on the House higher power than was possessed by the Houses of Parliament in this respect. Lastly, Mr Sen contended that the Governor had the final authority in the matter of framing rules and this clause would debar the Governor from exercising that right. In no matter under the Government of India Act or Council Rule or Standing Orders did the Council possess such supreme authority. He requested the Chair, therefore, to rule the sub-clause out of order.

The President said that in view of the importance of the constitutional points raised, he would like to consider the question and give a ruling. The House then adjourned.

**30th SEPTEMBER**—In the Council to-day, the President Sir A M K Dhillon ruled out a point of order raised by Mr K C Sen, Legal Remembrancer, that the

particular sub-clause added by the Select Committee to the Bill in connection with the rule making powers of the Government was *ultra vires* of the Legislative Council.

The *President* held that the House had rule-making powers and that in the past it relegated them in the Executive as a matter of convenience. Tracing the history of similar provisions in other Acts, the *President* pointed out that the Government had broken the convention by not putting in the usual clause, which, while retaining in the hands of the Government the final authority to accept or reject the alterations or recessions made by the House in the rules made by the Government, gave the Council a chance to discuss and express an opinion of the rules made by the Government. In this case, no such provision had been made in the original Bill and the Select Committee, perhaps as a measure of retaliation, decided by a majority to add the new sub-clause, which made the alterations or recessions made by the Council by a statutory motion binding on the Government. The *President*, therefore, ruled out the point of order, holding that the disputed sub-clause was *ultra vires* neither of the Council, nor of the Select Committee.

The Opposition benches cheered the *President's* ruling.

Mr J. A. Madan, Revenue Secretary, moved an amendment to the sub-clause giving the Government the authority to declare that the modification or recession of the rule, made by the Council, shall have no effect if, in the Government's opinion, the modification or recession is likely to defeat or frustrate the purposes of the Act.

This amendment aroused a keen debate and was finally carried by 40 votes against 35. The Bill was taken through second and third readings and passed. The *Minister* was congratulated by most of the speakers during the debate.

#### BOMBAY SPECIAL (EMERGENCY) POWERS ACT AMEND BILL

**1st OCTOBER** :—Moving the Bombay Special (Emergency) Powers Act Amendment Bill to day, which sought to make permanent the provisions of the Special Powers Act of 1932, which was due to lapse on December 15 1935, *Sir Robert Bell*, Home Member, said that the object of the Bill was to deal effectively with communism, terrorism, instigation of non-payment of land revenue and civil disobedience.

The *Home Member* dealt with the last three quickly, remarking that while Civil Disobedience had been suspended, still it had many open advantages. Instigation of non-payment of land revenue was not a criminal offence and organised non-payment for political purposes could not be dealt with effectively by the ordinary law and he asked whether it would be fair to let the instigator go free while the poor cultivator suffered. He thought that Bombay was fortunately comparatively free from terrorism. There were still manifestations of terrorism but the greatest danger was Communism, which was growing seriously and taking a firm footing in large industrial cities, exploiting the grievances of industrial workers. The *Home Member* traced the history of Communist activities in Bombay and explained their methods and asked if any one could seriously suggest that agitators who take instructions and were financed by foreign agencies could be dealt with under the ordinary law. Communism which had been firmly established in Europe was a permanent menace, requiring permanent powers for the Government to deal with it.

An attempt by *Rao Sahab Kulkarni* to postpone discussions of the Bill to October 8 was defeated by 44 votes to 37.

Mr R. R. Bhatke (nominated Labour) monopolised the whole evening with a vigorous attack on the Bill. He said that the Bill interfered with personal liberties and legitimate activities of the people and was therefore abhorrent. Tracing the origin of the present Bill to the Ordinances of 1931, he asked the Government how they could seek to make permanent a measure that was intended for meeting an emergency. He charged the Government with inconsistency as far as the purposes of the Bill were concerned. It was originally brought up for dealing with civil disobedience and now the same Bill was put before the House for dealing with Communism. He appealed to every section of the House, particularly to the Hind block and non-Brahmin members, to reject the Bill. He concluded with a quotation from a statement made by *Sir Govind Madgavkar*, ex-Judge of the Bombay High Court, that "I would much rather be denounced by a Communist as an exploiter of the proletariat, be bombed by a terrorist as a mercenary and traitor and be boycotted by passive resistance as one lacking in patriotism than have such a law for my supposed benefit. I am content with the protection of the ordinary law and its courts."

**2nd OCTOBER** :—Mr S. D. Saketale (Bombay Millowners) generally supported the principle of the measure, but desired that this measure should not

be put permanently on the Statute Book. He asked the House to face the realities of the situation and arm the Executive with power to deal with subversive activities. He also reminded them of past strikes in Bombay City, which had paralysed trade.

Mr *Bansal Patel* (Ahmedabad District), opposing the Bill, contended that the ordinary law of the land could deal effectively with all the evils for which the present Bill was intended. He, however, moved an amendment that the Bill shall remain in force upto March 31, 1937.

*Rao Sahab Kulkarni* (Poona District) opposed the principle of the Bill, calling it a negation of principles of British jurisprudence but if it was going to be accepted, he pleaded that its "life" may be restricted till February 17, 1936, the day on which the term of the present Council would expire. He moved an amendment to this effect. Mr Kulkarni said that he did not want the present Council to father such a measure on the new Council.

Mr *Pestonchah Vakil* (Ahmedabad City) supported the principle of the Bill, but he also moved an amendment leaving it to the discretion of the Governor-in-Council to extend it for another two years.

Mr *T. S. Kennedy* (European) supported the Bill in its entirety. He referred to previous strikes in Bombay City and pointed out that the length through which the strike dragged on was proof positive that foreign agencies were supporting the strike. He asked oppositionists to show a single instance wherein the provisions of the Act had been unjustly enforced.

Mr *L. R. Tassara* opposed the Bill and asked the Government to look into the root cause of all trouble, which was the Government's economic policy. He advised the Government to conciliate the country, in which cases such acts would not be necessary.

**2nd. OCTOBER** —Mr *Rafiquddin Ahmed* (ex-Minister) opened to-day the debate on the Special Powers Bill opposing it vehemently. An amendment restricting the period of extension of the Bill upto December 31, 1936, was passed. He said that if the Bill was bad, it could not be good for a short period. He felt the Government exaggerated the dangers of Communism. There had been but few cases in the last few years wherein they had to apply the provisions of this Act against Communists and he asked if it was contended that these extraordinary powers were required to deal with a handful of people. He objected to the Bill on principle and so the argument that in no case in the past the provisions of the Bill had been misapplied was untenable. The bill was unnecessary and was an insult to their loyalty. He assured the Government that he would be ready to support them, if they made out a case for such extraordinary measures and he asked the House to apply this test to support or reject the Bill.

Mr *M. H. Gusdar* (Karachi), opposing the first reading asked the House "in the name of sanity and moderation, to oppose the measure. It was a challenge to Indian nationalism and manhood. The measure was calculated to prop up capitalism. The Government had misapplied the provisions of the Act in the case of Maulana Shaukat Ali and others who were prohibited from going to Karachi to participate in the non-official enquiry into the recent Karachi firing. Referring to Mr Bakht's speech, Mr Gusdar reminded him that the Bill, if passed, would be applicable to Sind also. As such there was no question of Sind giving a parting kick to the Presidency. The Bill was intended to crush their spirit and he appealed to the House to throw it out.

*Rao Bahadur Chitale* characterised the Bill as a panicky measure and he quoted Government reports to show that the situation which existed in 1933 did not exist now. As such the Bill was not needed.

Dr *Solanik* supported the measure, dwelt on the hardships caused to the poor peasants of Gujarat and millworkers in Bombay by agitators who, by holding out alluring promises to peasants, had exploited them for their purposes. He contended that even if there had been only five cases wherein the provision of the Bill had been applied in the past, the measure should be there to safeguard against mischief-makers.

The Home Member announced that Government had decided to support Mr S. D. Sakdialla's (millowners) amendment for extending the Special Powers Act till 31st December 1936.

The Home Member explained that after considering the general consensus of opinion expressed in the Council favouring the extension of the Act for a limited period, Government had decided to go as far as possible to meet the wishes of the House. He calculated that the new constitution would come into operation some time in April, 1937, and it would be necessary to allow sufficient time for the new Government to settle down before having to consider the question of the termination or extension of

a contentious measure like this Government had, therefore, decided that the life of the Act should be extended at least till 31st December 1933.

*Rev R S Modak* (Indian Christian nominated), supporting the Bill, said that if it was conceded that special powers were necessary to deal with the agitations mentioned by the Home Member, it did not matter when the powers were given to the Government. He asked the Government to see that these powers were entrusted to responsible officers who would use them with discretion. He pointed out to the House that the measure was intended as a preventive safeguard on the eve of constitutional changes.

The President, at this stage, put the amendments relating to the period of operation of the Bill to the vote.

Mr *Sahitwala's* amendment restricting the period of extension to Dec 31, 1933, which was supported by the Government, was carried, while the other amendments relating to the period were either defeated or withdrawn. The House then adjourned.

**4th. OCTOBER**—The Council passed to-day by 53 votes to 36 the first reading of the Bill as amended yesterday.

Opposing the Bill, Mr *L R Gokhale* asked why neither of the words, Communism and terrorism, occurred in the whole of the Bill, if its provisions were really intended to deal with these evils?

*Shank Abdul Nayid* stated that he would "oppose the Bill and all amendments which have been passed or proposed or may be proposed." Arguing that there was no emergency at present, he assured the Government that Mr Gandhi, who had been admitted to be the only man who might launch Civil Disobedience, would not do anything behind the *pardah*. He did not believe that communism or terrorism existed in the Presidency to such a degree as to warrant this measure. He assured the House that Sind was sound at heart and he would not be a party to saddling the Presidency or Sind with a measure of this kind.

Mr *J Gore* announced that he had a mandate from Non-Brahmins to oppose the Bill and that he appealed to Non-Brahmin members of the House to oppose the Bill and uphold the principles for which their party stood.

Mr *Mohamed Saleman Cassim Mitha* bitterly opposed the measure. He was one of those who voted for the measure in 1932 but he asked where was the emergency for the measure now? Why should the present House pass a measure of this kind for a future government who most probably might not require them at all?

Dr *Desai* also opposing the Bill, stated that Communism was alien to Indian thought, but warned the Government that poverty and repression would lead to Communism.

Mr *R G Soman* narrated his personal experiences and those of some friends and alleged that the provisions of the Act had been misapplied in their cases. He said that on merest suspicion he was arrested and confined in a jail for two months, released and then a restriction order was served on him. Similarly was the case with a friend, who was suffering from leprosy and who had, therefore, avoided taking active part in public life for more than a year at the time of his arrest. He warned the Government that the greater the repression the greater would be the reaction.

Dr *Vaishampayan* read out to the House a telegram, which, he said, he had just received from friends in Sholapur. It stated that a meeting arranged to protest against the present measure had been prohibited by the authorities.

*Khan Bahadur Abdul Latif* (Sholapur and Poona Cities), stated that after consulting his constituency he had decided to support the measure. Sholapur had suffered much from activities of agitators, and he alleged that Dr Vaishampayan's friends who had telegraphed him about the meeting being prohibited were Communists.

*Rao Bahadur Navis* also supported the measure as extremely necessary for the progress of the country on constitutional lines. He asked what was the harm in arming the Government with this power to meet emergency when it arose. If Communism and terrorism did not exist, it was well and good, but if it did, should they not provide against it? It was reported that Mr Gandhi might come back to politics, and it was known that civil disobedience was part and parcel of his creed.

Mr *John Abercrombie* (Bombay Chamber of Commerce) said that the suggestion made in the House that Europeans supported the measure to protect their own interest was not correct. They did want to protect their trade and commerce, but they also wanted to protect everybody's trade and commerce. This was no new legislation. It had been in operation for the last three years and its beneficial effects were now well-known.

The fact that there had been only 45 cases of the application of this Act should convince the House that the provisions had been applied with the greatest care.

Dr D'Souza stated that the law was not static and should change with the temper of the people, and he assured the House that the Bill was intended to protect law-abiding citizens.

Sir Robert Bell, Home Member, winding up the debate, told Mr Bakhale who had contended that civil disobedience had been withdrawn, that he (the Home Member) could quote chapter and verse to prove that civil disobedience had not been withdrawn. The speeches made by Congress members in the Assembly during the discussion of the Criminal Law Amendment Bill and the correspondence between Congress leaders revealed there, and also utterances of Congressmen was proof of this. It had not been stated while passing the measure in 1932 that it was solely intended to deal with the civil disobedience movement. If the civil disobedience movement had now really been abandoned, then this Act was responsible for it. Referring to the fears expressed by certain members that the provisions relating to the non payment of land revenues might be used against poor agriculturists not guilty of the offence contemplated under the Act, Sir Robert said that the Government had decided to accept an amendment to provide against this during the second reading.

"But I am basing my case for this Bill now only on the menace of Communism, and I leave it to stand or fall by that," proceeded the Home Member. The Bill covered all offences which Communists contemplated, and if Communism had not been defined or if the Bill had not been directed specifically against Communism, it was because it was difficult to define Communism in such a way as to leave no loophole. He assured the House that the Bill did not stifle the expression of any political thought, and the proceedings of the Meerut case would show that action had been taken only where an attempt had been made to put revolutionary ideas into practice. He referred to the 1928 strike in Bombay and quoted from representations made by commercial associations including the Indian Merchants' Chamber asking the Government to take action and bring about the termination of the strike. The Government took action under the ordinary law and the result was the Meerut trial but before the Communist leaders were roped in, enough havoc had been done which conclusively showed that the ordinary law was not quite adequate to deal effectively with such agitations. The Home Member also referred to the situation in Bombay with regard to Communist activities in 1933, and read extracts from Communist pamphlets to strikers appealing to the latter to use force against police and strike breakers.

All the amendments were withdrawn and the motion for first reading was put to the vote and carried by 53 votes to 36. The House then adjourned till the 8th.

#### IMPERSONATION AT ELECTIONS (BILL)

8th OCTOBER.—An official bill for making the offence of false personation in elections to legislative, as well as to local bodies, cognizable so that a person suspected of or charged with false personation can be arrested without warrant and if necessary detained pending enquiry, was passed by the Council to-day.

Sir Robert Bell, Home Member, moving the Bill, stated that there had been alarming growth of the evil of impersonation in elections which had been prominently brought to the Government's notice by discussion of the subject in the Council during the last Budget session, and the recent difficulties that arose in connection with the election to the Bombay Municipal Corporation. As many as 1,300 voters found during the last Bombay Municipal elections that someone else had voted in their names. The Home Member added that there should have been many undetected cases. The Government would take adequate steps to give full publicity to this Act which, he hoped, would considerably check impersonation. There was general support to the Bill and suggestions were made that perfect electoral rolls should be prepared.

#### CITY MUNICIPAL AMEND. BILL

In the absence of Sir Shah Nawaz Bhutto, Minister for Local Self-Government, Mr H. K. Karpaliam, General Secretary, moved the Bill to amend the City of Bombay Municipal Act of 1883, relating to the mode of filling up vacancies caused by the retirement or setting aside of elections of members of the Corporation. The Act provides that if no Councillor is elected at a general election or if the election is set aside, the returning Councillors shall be deemed to be re-elected and if they are not willing to serve, the Corporation shall fill up vacancies by co-option. This provision is sought to be set right by making it incumbent on the Corporation

to hold fresh elections in the event of an election being set aside or in other contingencies. The mover referred to the recent setting aside by the Chief Judge of the Small Causes Court of the elections to the Bombay Corporation. The provisions were framed at a time when perhaps it was apprehended that a sufficient number of candidates would not be forthcoming, as also perhaps to avoid trouble and expense of holding fresh elections. But with the keen interest now being taken in Local Self-Government, it was desirable that electors should be given an opportunity of returning other representatives of their own choice, if an election was set aside or other contingencies arose.

The Bill was passed after a brief discussion.

#### HINDU WIDOWS ADOPTION BILL

**9th OCTOBER** —Public galleries in the Council were crowded with women to-day when the House assembled for non-official business, of which the first item was Mr *H. E. Desai's* Bill to amend the Law Adoption for Hindu Widows. After interpellations, Mr Desai moved that his Bill be referred to a Select Committee, the report to be submitted in two months.

The *Home Member*, speaking on the motion, said after considering certain matters, the Government had provisionally decided to oppose the measure, though he would not commit himself at this stage as to the Government's final attitude on it. Without going into the merits of the measure, the *Home Member* pointed out that the enactment of such legislation by a Provincial Council would cause conflict between the personal law of Hindus under Mitakshara, which migrated with him wherever he went, and the territorial law. He asked what would be the position if individual coparceners happened to be in Bombay and the Central Provinces.

After further discussion, the motion for referring the Bill to a Select Committee was rejected by 55 votes to 17 and the President declared amidst cheers, that the Bill had been killed. The Bill sought to restore the position that was obtaining before the recent Privy Council ruling, namely, that a Hindu widow in a joint family cannot adopt a son without the consent of her coparceners. The Privy Council in 1932 ruled that a Hindu widow could adopt a son without the consent of her coparceners.

#### BILL TO CONTROL PARSİ TRUSTS

**10th OCTOBER** —In the Council to-day, the non-official Bill for the registration, publication and inspection of Trusts for public purposes of charitable or religious nature for the benefit of Parsis and for filing inspection and publication of audited accounts thereof was circulated for eliciting public opinion, after the first reading was passed. The object of the Bill was to establish some kind of control over Parsi Trusts, so as to organise them and prevent overlapping. The Bill applied only to Trusts with property valued at over Rs 5000.

Dr *M. D. Gilder*, the sponsor of the Bill, made it clear that he had no specific complaint to make of the mismanagement of Parsi Trusts but there were numerous Trusts, whose aims and objects were unknown to the public at large and it was high time that some kind of control was established over these trusts. While the Government did not oppose the Bill at this stage they reserved the right to decide their attitude towards the Bill at a later stage.

A non-official resolution, also moved by Dr *Gilder*, recommending to the Government to appoint a Committee of officials and non-officials to investigate and report on the procedure of notification of infectious (epidemic) diseases and the measures taken to prevent their spread (including the financial aspect of the problem) and to suggest improvements was lost by 32 votes to 23. The mover complained that the present machinery for giving notice of epidemics was extraordinarily slow and also that the Government were making a profit out of sale of serums to combat epidemic diseases. He particularly referred to the recent plague epidemic in Borad Taluka in Gujarat and alleged that the Government measures to check the epidemic were belated and inadequate.

Mr *H. K. Khyalani*, General Secretary, explained fully the procedure for giving notice of epidemics and while admitting that it had drawbacks, asked how these drawbacks could possibly be remedied. He pointed out the serum made by the Haffkine Institute was sold to other Provinces as well, as such manufacture had to be on a commercial scale.

#### BOMBAY SPECIAL POWERS ACT EXTENDING BILL (CONT'D)

**13th OCTOBER** —Two non-official attempts to postpone discussion on the second reading of the Bombay Special (Emergency) Powers Act Extending Bill were defeated in

the Council to-day. Immediately after *Sr Robert Bell*, Home Member, moved the second reading of the Bill *Mr L R Gokhale* moved that the Bill be referred to a Select Committee, consisting of two officials and four non-officials to report before October 18.

The Home Member opposing the motion, stated that this was the kind of Bill, which, whether referred to a Select Committee or not, would have to be thrashed out in detail by the House itself, as such consideration by the Select Committee would only result in waste of time. Further, the Bill had been considered in full by the same House in 1932. As such, there was no need for a Select Committee.

The motion was declared lost.

*Mr R R Bakhale* moved that the Bill be circulated for eliciting public opinion for two months. This was also defeated, the Government opposing.

*Mr G S Gangoli* opposed the second reading. He pointed out that the Council enacted the 1932 Act only for one year and left it to His Excellency the Governor to extend the Act for further two years if necessary. *Mr Ganguli* contended that the House in trying to re-enact the measure was taking back the power they had given to the Governor.

After a brief discussion, the House decided by 49 votes to 28, that the Bill be read a second time. The Bill was, therefore, considered clause by clause.

*Mr R R Bakhale* moved an amendment which sought to restrict the operations of the Bill only to areas affected by Nazism or Fascism or Communism or terrorism.

Various amendments were moved to this amendment, adding the names of other mass movements, including Civil Disobedience and in some cases deleting some.

The Home Member, expressing his inability to accept any of the amendments, pointed out that it was difficult to choose between these different movements. He asked members to examine the working of the Act in the past both during the Civil Disobedience movement and after its suspension. Barring a few solitary cases there had been no complaint of misapplication of the Act. Only those who had actively participated in subversive movements had been touched by the Act. He asked each member to ask himself if this act had done any harm in his district.

All the amendments were defeated by large majorities.

**12th OCTOBER**—In the Council to-day the Home Member announced that in view of the general trend of opinion expressed in the House yesterday that the Special Powers Bill should be made applicable only to areas affected by Communism or terrorism or Civil Disobedience, the Government would be prepared to consider the question of including these three movements in the Preamble of the Bill in order to make their intention clear. But the Government were still opposed to the inclusion of these movements in the operative part of the Bill.

The Home Member reiterated that the dictionary meaning of "Communism" no longer indicated what militant Communism stood for and without a proper definition of this word in the Bill, it would not be possible to include the word. He also made it clear that the inclusion of these three movements in the Preamble did not mean that anything outside these would be outside the scope of the Bill.

*Mr L R Taisree* suggested that the Home Member's gesture did not carry them far.

The Home Member, while admitting that there was much truth in what *Mr Taisree* had said, pointed out that the inclusion of these movements in the Preamble would be helpful to this extent that references might be made to the Preamble in interpreting any section of the Act.

*Mr R R Bakhale* moved another amendment to-day, which also sought to restrict the application of the Bill to Nazism, Fascism, Communism and terrorism.

The Home Member, speaking on the amendment, pointed out that the Government could not consider the question of excluding Civil Disobedience from the scope of the Bill. While admitting that Civil Disobedience was definitely suspended now, he stated that no one could guarantee that the situation would be the same in future also. He further stated that there was no danger in India for Fascism or Nazism, which were pre-existently movements pertaining to particular foreign countries.

*Mr Bhadral Patel* moved an amendment to *Mr Bakhale's* amendment which sought to confine the application of the Bill only to amendments involving violence to property.

After considerable discussion, the amendment to the amendment, and the original amendment, were lost.

**14th OCTOBER**—*Mr Bhadral Patel's* amendment seeking deletion of the sub-clause relating to the control of movements of suspected persons was lost by 45 votes.



to 22 The House also rejected a non-official amendment which, in effect, deprived the authorities of the power to ask a suspected person to report himself to the police.

The other important non-official amendment which was discussed to-day was moved by Mr *Chaturbhias Patel* who sought to reduce the maximum sentence of two years to six months. The amendment was opposed by the Government and was defeated by 50 votes to 16.

**15th OCTOBER** —In the Council to-day, an official amendment was moved for adding the following explanation to section 18 of the Bombay Special (Emergency) Powers Act of 1932

"Any words or acts intended to assist by lawful means redress of any grievances relating to notified liability shall not be an offence under this section merely because they result or may lead to deferring payment of such notified liability."

This was in accordance with the promise given by the Home Member at an earlier stage of the debate that agitation for redress of legitimate grievances in regard to the payment of land revenue would not be penalised under the Act.

*Diwan Bahadur Dongar Singh Patel* moved an amendment to this amendment so as to make it clear that even if such agitation led to the non-payment of taxes it should not be penalised.

The official amendment, as amended, was carried by a large majority of 44 votes against 10. The Home Member made it clear during the debate on this amendment that he did not believe that this explanation was necessary as the Act, as it stood, could not be applied to the agitation contemplated in the amendment. But the Government, in deference to the wishes of a section of the House, had promised to bring forward an amendment of this character and hence the amendment.

Mr *Chaturbhias Patel* moved an amendment to reduce the maximum fine of Rs. 5,000 for disobedience of an order under the Act to Rs 500.

The Home Member expressed willingness to accept a maximum of Rs 1,000 and moved an amendment to this effect, which was carried. The House then adjourned.

**16th DECEMBER** —During discussion to day in the Council of the Bill, there was considerable support from Muslim members to the following amendment of Mr *S. C. Mitha* of Bombay

"After clause two of the Bill add the following new section 30-(a) "Nothing contained in this Act shall apply to any person who, out of motives of self-preservation, does any act with the intention of defending the faith, person or property of his own or that of any member of his community."

The mover stressed the point that there was a large number of European firms in Bombay, who have gone to the Congress and had made terms with them so that they should not be boycotted and the Government had not prosecuted these Europeans and he claimed the same liberty for his minority community.

The Government opposed the amendment as the ordinary law provided sufficient safeguard for minorities.

The amendment was defeated by 45 votes to 21. The House then adjourned.

**17th OCTOBER** —The Council passed to-day the Bill to amend the Bombay Special (Emergency) Powers Act of 1932.

*Rao Bahadur R. R. Kale* opposed discussion on the third reading of the Bill in a lengthy speech, in which he said that the Government by passing the Bill were arming the executive with extensive powers, which would affect and lower the political tone and public spirit to such a level that responsible Government would be a mockery. Twenty three members of the Opposition then walked out and the third reading was passed by 49 votes against 4.

#### TAX ON MOTOR VEHICLES BILL

*Khan Bahadur Cooper*, Revenue Member, then proposed the first reading of the Bill to provide for the imposition of a tax on motor vehicles to enable the Government to abolish all other forms of provincial and local taxation on such vehicles.

The mover proposed to create a Road Fund from all extra revenue from the tax, to be used exclusively for road development and maintenance.

**19th OCTOBER** —The Government accepted to-day the amendments to the Motor Vehicles Tax Bill moved by Mr *Ashrekar (Satara)*, which was intended to allow local bodies under the Local Boards Act to impose tolls on vehicles to reimburse themselves for the cost of future construction of causeways and bridges, built to facilitate communications.

An amendment was moved by Mr *Bhatlal S Patel* (Ahmedabad) who sought to limit the operation of the Bill to one year

**21st. OCTOBER** —The President, *Sir Ali Mahomed Delhavi*, opened the discussion to-day with an explanation of his ruling on the point of order raised by Mr *L R Gokhale* that the Finance Secretary by his amendment removing tolls on bullocks and bullock carts, had extended the scope of the Bill which, as drafted, was for the removal of tolls on motor vehicles. The *Chair* reiterated his ruling given on Saturday, that the scope of the Bill can be extended at the first reading.

Discussions of a similar character on amendments of principle moved by previous speakers continued to-day for two hours. Mr *J G More* (Pandharpur) moved an amendment to an amendment of the Finance Secretary by which the latter sought to prohibit municipalities and local bodies from charging special tolls on bridges. Though a member of the Non Brahmin Party, Mr *More*, who had nationalist leanings, made his support of the Bill conditional on the Government withdrawing the Finance Member's amendment.

Mr *L R Gokhale* asked the Government to accept his suggestion and refer the Bill to a select committee. Mr *Vakil* wanted to know if the Finance Member thought that the House would be able to dispose of 150 amendments to the Bill in three days. *Khan Bahadur Cooper*, Finance Member, refused to be drawn into saying at this stage what the Government intended doing.

**22nd OCTOBER** —The Finance Member moved to-day that the Bill be read a second time. Mr *Tarasse* (Indian Merchants Chamber) moved an amendment that the Bill be referred to a select committee, named by him, to, as he said, reconcile the different interests. Some injustice, he thought, was being done and, knowing its strength, the Government ought to accept his amendment.

The *Home Member* intimated that the Government would oppose it and, getting leave from the Chair, the Finance Member proposed 11 other names as a safeguard against the Opposition carrying the motion against the Government.

The division, when taken, gave the Government a majority of 28 votes against acceptance of the amendment. Mr *Surve* then proposed an amendment asking that the Bill be circulated for a month to elicit public opinion. Mr *Tarasse*, speaking on this amendment, said the Opposition had only two courses open to them—one was to talk the Bill out till the *Dussehra* holidays were reached (when the session closes), or walk out. *Rao Bahadur Navle* (Ahmednagar) of the Non-Brahmin Party, strongly opposed the amendment which, he said, was against the best interests of agriculturists. The closure was applied and the House then rejected the motion.

Consideration of the Bill, clause by clause, with their amendments, was then taken up.

**23rd OCTOBER** —The Bill entered on its most important stage to-day when the Council began the discussion of amendments to the schedule of rates to be charged as taxation on motor vehicles. The House first accepted the amendment of the Finance Secretary, changing the heading of the schedule from "annual rate of tax" to "maximum annual rate of tax". An animated debate followed the amendment moved by Mr *R R Bhatlale* to reduce all figures in the schedule under the heading "maximum annual rate of tax" by 20 per cent. He asked for time to consider the figures of the schedule. The Government opposed the amendment, the Finance Secretary pointing out that the House had had the figures before them since the Bill was published. A statement showing what the loss would amount to if the Government accepted the different rates suggested by the amendment was circulated. This showed that there would be a loss of Rs 5,70,900 if the Government accepted the proposed all-round cut of 20 per cent. Mr *L R Gokhale* in the course of his remarks supporting the amendment, suggested that if the Government were prepared to accept even a reduction of say 12 and a half per cent. the House would be willing to reconsider the question of moving other amendments for a reduction of the schedule.

The Finance Member, replying on the debate, said that by accepting the amendment of the Finance Secretary the House had agreed that the rates charged were the maximum rates and there was no need to ask for a reduction, as the Government who had the good of the people as their foremost concern could reduce or entirely abolish the tax if circumstances permitted.

Mr *P N Vakil* (Ahmedabad) proposed a reduction of 12 and a half per cent., while *Rao Bahadur S N Angadi* (Belgaum) suggested that a 6 and one-fourth per cent.

reduction be made, but as he sought to make this applicable to buses only he was ruled out of order.

Mr. *Tarsee* said the Government would kill an industry in which a large number of people were interested.

Both amendments when put to the House were rejected by large majorities.

**24th. OCTOBER** —*Shah Abdul Aziz* (West Khandesh District) endeavoured to convince the Finance Member to-day of the advantages of a graduated tax coupled with a route mileage system. He contended that only such buses as were using routes up to and over 80 miles were able to make a profit. Others making shorter trips were carrying on a hand-to-mouth existence. He commended his amendments, three in number, to the favourable consideration of Government. Otherwise, he said, bus-owners of his district would not be able to carry on and would have to join the ranks of the unemployed.

Mr. *Tarsee*, supporting the mover, cited the case of the buses which plied over a route of two miles between two stations in Gujarat and charged two annas for a ride. He also mentioned the case of those buses running between Nasik railway station and Nasik City, a distance of seven miles, after meeting about eight trains a day. He inquired how these people were going to make a profit while paying a tax?

The Government opposed *Shah Abdul Aziz's* amendments, but the Finance Member said that Government would keep an open mind as to the system.

Dr. *J. A. Collaco* (Bombay) endeavoured to get exemption from the tax for business men using cars within the limits of this city of Bombay by raising the weight of cars from 15 cwt. to 22½ cwt. unladen.

Mr. *L. R. Gokhale* urged Government to accept the amendment as a concession to doctors and small business men like Government contractors who often in the interests of the Government, had to make frequent visits to bazars.

Government, however, opposed the amendment which was lost by 40 votes to 20.

*Rao Sahab Kulkarni* brought the censure of the Chair on his head when, in moving an amendment in his name, he introduced another subject, asking that the tax be graduated by the make of the car. He was enumerating the various makes when the President interrupted, asking members not to joke. He was, he said, aware that the Opposition were disgusted by the Government opposing the motion for a select committee, but he considered that members ought to oppose the amendments seriously. If members did not, then he would have to put a stop to dilatory tactics.

One result of this was that some amendments were moved without speeches, thus saving time. Though considerable progress had been made with the amendments to the schedule, it was becoming increasingly apparent that further consideration of the Bill would have to be deferred to the adjourned session in Bombay.

Mr. *J. Humphrey* proposed a reduction from Rs. 300 to Rs. 150 as charge in the case of dealers in or manufacturers of motor vehicles for general licence in respect of seven or less number of motor vehicles and the same reduction for additional seven or less number of motor vehicles. The Government appeared to favour the amendment as the Finance Secretary asked the mover to substitute for seven motor vehicles three and four respectively. *Rao Bahadur R. R. Kale* however appealed to the Chair that this was an amendment of principle and the President accordingly ruled the suggestion of the Finance Secretary out of order. Mr. Humphrey's amendment in its original form was rejected.

Dr. *Collaco* (Bombay) moved an amendment for the reduction of rates for class three and four Motor Vehicles plying within Municipal and Cantonment limits from two-thirds to one-half. The amendment was lost.

**25th. OCTOBER** —Members of the Council joined hands to-day in an effort to get a reduction of 50 per cent of the additional charge on motor vehicles using solid tyres, when discussion of the Bill was resumed.

Mr. *C. G. Froese*, Finance Secretary, made it clear that Bombay was following the example of other provinces and countries in discouraging the use of solid tyres. He showed that in some provinces the charge was higher. The general basis of motor taxation, he said, was the petrol tax.

*Sir Rafiquddin Ahmed*, supporting the amendment of Dr. Dixit to reduce the tax to 10 per cent, said that the Government were not encouraging the industry. He

said, that such taxation was "butchery," but he could not insult an honest profession by calling the Finance Member a "butcher."

Mr S D Saklatvala, Bombay Millowners Association, also supported the amendment which, on being put to the vote, was rejected. *Sir Rafiuddin Ahmed*, while further discussion of the amendments was proceeding, rose and apologized for his remark about the Finance Member. He said, he considered that it was due to the dignity of the House that he should withdraw that remark. He accordingly apologized for having made an offensive remark in the heat of the moment.

The House disposed of six out of 22 clauses of the Bill and adjourned till 29th, November from Poona to Bombay.

### Bombay—12th to 29th, November 1935

The adjourned session of the Council commenced at Bombay on the 12th November 1935 and took up the second reading of the Motor Taxation Bill. Several more clauses of the bill were passed on the next day, the 13th November when the Government suffered a minor defeat on clause 18 which was the last clause passed to-day. The clause empowers the local Government by notification to exempt either totally or partially any motor vehicle or class of motor vehicles from payment of tax.

Mr Lely, who was the leader of the European group, moved that "every such notification shall be laid on the table at the next session of the Council and shall be liable to be modified or rescinded by a resolution of the Council and such modification or rescission shall, after publication in the Gazette, be deemed to have come into force." The Opposition supported Mr Lely's amendment which was carried by 30 votes to 26.

During the course of the debate the Finance Member declared that the Government did not intend to give exemptions to individuals such as Government servants but only to local bodies, Ruling Princes and foreign Consuls. The question of exemption however had not been fully considered.

**14th NOVEMBER**—The Council, by 52 votes against 24, passed to-day the third reading of the Bill. The Bill provides for a levy of taxation sufficient to replace the revenue from all tolls on motor vehicles. There is provision by which taxis, buses, motor goods, lorries, intended to be used within the municipal limits, will be charged at two-thirds of the general tax. Any surplus revenue after providing for replacement of the existing Government and local bodies' revenues plus 10 per cent addition to the latter balance would be spent solely on roads.

### PUBLIC ACCOUNTS COMMITTEE REPORT

**16th NOVEMBER**—The report of the Public Accounts Committee on the appropriation of accounts for 1933-34 of the Government of Bombay was discussed in the Council to-day. Mr L R Gokhale (Poona City) complained that the method of keeping accounts in some of the Government Departments, particularly in the Police Department, was not satisfactory. He pointed out various irregularities referred to by the Accountant General, Bombay, in his report.

The leader of the House, *Sir Robert Bell* protested against the way in which appropriation of accounts was discussed in detail by members and said that these accounts had been fully dealt with by the Public Accounts Committee appointed by the House. He did not think that the report disclosed any very serious state of maladministration and informed the House that every Government Department went through the appropriation report very carefully and took note of the remarks made by the Accountant General. Mr B S Kamat (nominated non-official) was of the opinion that on the whole the Budget estimates of the year under review were fairly accurate and satisfactory and that there had been an improvement as compared with the previous year so far as the control exercised over expenditure was concerned.

### BOMBAY LOCAL BOARDS AMEND BILL

**21st NOVEMBER**—The Council to-day passed the third reading of the Bill to amend the Bombay Local Boards Act, 1925. The object of the legislation was to enable the Government to remove the Chief Officer, Engineer, or Health Officer appointed by Local Boards, with Government's approval, when such officer was found incapable of performing his duties or guilty of any action necessitating removal in the interests of the public. If Local Boards concerned refused to remove such officer, the Government's liability to pay part of his salary under the law, would cease.

## COTTON GINNING AMEND BILL

**23rd. NOVEMBER** —The first reading of the Bill to amend the Cotton Ginning and Pressing Factories Act of 1925 was passed by the Council to-day and the bill was referred to a select committee to report within two months. The second reading of the Bill will be introduced during the budget session.

The Bill sought to stop certain malpractices prevalent in Ginning and Pressing Factories, such as watering of cotton, mixing of different varieties and false packing. In consequence of these malpractices the reputation of superior cottons had suffered considerably and it was suggested to Government by the Indian Central Cotton Committee, and other Associations interested in cotton trading that they should take steps to check such malpractices.

## BOMBAY COTTON CONTROL BILL

**25th. NOVEMBER** —The Council passed to-day the third reading of the Bombay Cotton Control Bill of 1935. The measure prohibits the cultivation of *goghari* cotton mixing with other cotton and also restricts the possession or trade of *goghari* cotton. The reasons for enactment are that *goghari* cotton is distinctly inferior in type, but owing to its high yield and higher ginning percentage it is mixed with superior cotton and passed off as 'Navasari cotton'. If *goghari* cotton is allowed to spread the good work of the Agricultural Department and the Indian Central Cotton Committee's labour for improving the cotton standard will be jeopardised. An alarming rate of *goghari* cotton spread, it is feared, will create a situation similar to the one created in 1919 when one lakh bales of Broach cotton were rejected in Bombay as not being of good quality.

## PREVENTION OF GAMBLING BILL

**27th NOVEMBER** —The Council to-day passed the first reading of the Bill to amend the Bombay Prevention of Gambling Act of 1887 and the City of Bombay Police Act. The Bill was referred to a Select Committee of 18, which should report within two months. The Bill sought to check the appalling spread of satta gambling and Ankarak in Bombay City and Presidency.

The statement of objects and reasons of the Bill says that it has been found from experience that the powers conferred on the Police by the Bombay Prevention of Gambling Act are inadequate to suppress the gambling evil. The measure proposes to take immediate and effective action against common gaming houses and impose heavier penalties on gaming house-keepers, and to prohibit circulation of news sheets which are produced in the interest of gambling. The Bill, as officially amended, vests power with the Police to arrest without warrant any person for printing, publishing or distributing news or information which tends to encourage gambling.

Mr. *Talwar's* amendment seeking to restrict the life of the measure to one year was rejected. Several non-official members strongly opposed the measure on the ground that it sought to invest the Police with extraordinary powers.

## OFFICIAL RESOLUTIONS

**28th. NOVEMBER** —The Council to-day considered official resolutions. The Council adopted the resolution converting the temporary prison at Visapur to a permanent one. It will be recalled that the Visapur prison was opened during the Civil Disobedience days to house the C. D. prisoners. The Council rejected the non-official suggestion to abolish the post of Economic Botanist to the Government of Bombay.

## NEW OFFICIAL RESOLUTIONS

**29th. NOVEMBER** —The Council rejected, after a lively debate, Mr. P. D. Kulkarni's resolution that an address be presented to H. E. the Governor of Bombay, praying to dissolve the present Legislature and take early steps to hold fresh elections. The mover declared that the present members were not real representatives of the people and the general public had lost all confidence in the members, hence the need for fresh elections. Mr. L. R. Tasse said that the inauguration of the new Constitution was not a convincing reason for extension of the present Council. The speaker pointed out how the British Government dissolved Parliament to decide the momentous issue on the Italo-Abyssinian war and held fresh elections. He felt the sooner the House was dissolved the better. Mr. Z. R. Bakkie agreed that the House should soon be dissolved, but there were many practical difficulties, such as huge expenditure, in the way. Hence he thought that the mover would be well advised to withdraw the resolution. If, however, the mover pressed it, he would support the motion.

After the Home Member's reply, the motion was lost without division. The House then adjourned sine die.

# The Madras Legislative Council

August Session—Madras—5th August to 10th. August 1935

The August session of the Madras Legislative Council commenced at Madras on the 5th. August 1935. During the debate on the supplementary grants the *Finance Member* winding up the debate said that the proposed Economic Council was a useful body for coordinating the efforts of various departments and drafting a definite scheme which will be placed before the council for its approval. He added that the next Ministry under the new constitution might be new and inexperienced. Hence it was all the more necessary that the scheme should be pushed through without delay by tried and experienced hands. Regarding the financial obligations that might be involved, he said only when the scheme was presented in a concrete form they could consider the financial aspect of the question. The cut motion was rejected, 27 voting for and 53 against. The token grant was carried earlier in the day.

The council next passed by a large majority the supplementary grant for Rs. 62,400 for renewing and supplying furniture to the Government House, Mrs. Lakshmiipathi's cut motion having been defeated.

## CITY MUNICIPAL AMEND BILL

5th. AUGUST.—Five Government Bills mostly of a non controversial nature were passed into law to day.

A Bill to further amend the City Municipal Act of 1919 postponing election to the Madras Corporation in 10 divisions of the city for a period of six months pending the bringing into force of the new Madras City Municipal Amending Act which necessitated a general election in all divisions was opposed by Mrs. Lakshmiipathi. She said that it deprived the citizens of the right of exercising franchise and it was not necessary for the Council to rush through important changes in the Municipal Act on the eve of the new constitution. The Bill was, however, passed by a large majority.

## AGRICULTURISTS LOANS AMEND BILL

The Madras Government's plan to offer loans to agriculturists to relieve them of their debts, was explained during a debate when the *Revenue Member* introduced the Bill to amend the *Agriculturists' Loans Act of 1894*.

Owing to a fall in prices and uncertainty of the season, ryots, said the *Revenue Member*, (Mr C A Souter) had been placed in a very difficult position during the last two or three years. The Government intended to afford them the greatest possible relief Rs 16 lakhs had been provided in the budget for the purpose. How that sum would be spent depended on the results of the investigations of the Special Officer whose report on ryots debts had just been received.

If after the Bill was passed the Government found that the agriculturists made large demands for loans, takkavi loans would be granted and the Government would come to the Legislative Council again for a supplementary grant.

Since the Government's finances were limited they intended to spread over the relief to as large a number of agriculturists as possible, giving preference to the smaller ryots. Ryots who wanted big loans could take advantage of a non-official measure to be brought forward in the near future.

The non-official members of the House generally welcomed the measure though several suggested that the rate of interest should be low and the period for repayment at least 25 to 30 years.

Mr T A Ramalinga Chettiar recalled the Banking Inquiry Committee's statement that ryots' debts in the presidency amounted to Rs 120 crores. Even if the Government intended helping smaller ryots they would require at least Rs. 40 crores. He, therefore, suggested that the Government raise a big loan for the purpose. *Kannarasu M A Mutha Chettiar* described the Bill as a "useful legislation" which both debtors and creditors would welcome.

Replying to the debate, the *Revenue Member* assured the House that the measure would not be shelved. The Government intended to have it worked to the fullest extent of their financial powers. In cases of necessity, the period of repayment would be

extended beyond the 20 years prescribed for takhavi loans and the rate of interest would be reduced. The Bill was passed.

#### CITY MUNICIPAL AMEND BILL (CONTD.)

**7th AUGUST** —The *Chief Minister* presented the select committee report on the Bill to amend the Madras City Municipal Act (1919) the consideration of which, clause by clause, occupied practically the whole day of the 240 and odd clauses contained in the Bill comprehensive changes about 30 clauses were disposed of.

Mrs *Lakshminipathi* moved a series of amendments. One seeking to remove the cycle tax in the city on the ground that it mainly affected students and middle classes was lost, 23 voting for and 53 against it. Another amendment by the same member opposing a new clause requiring councillors to take the oath of allegiance to the Crown was also negatived, only four voting in favour and 65 against it.

#### PREVENTION OF ADULTERATION BILL

Earlier in the day the Council passed into law the bill to further amend the Madras Prevention of Adulteration Act as presented by the select committee with certain minor alterations.

#### RE SETTLEMENT AND LAND REVENUE

**8th AUGUST** —The Government policy regarding resettlement and land revenue was subjected to a strong criticism by non officials in the Council to-day.

At question time Mr *C R Reddi* drew the attention of the Government to the widespread demand for revision of the policy in the matter. Later a discussion on the subject started.

Mrs. *Lakshminipathi* voiced the Congress viewpoint, opposing the very principle of settlement and urged that if all the Government was pursuing settlements they should not pass an order thereon until it had been submitted to the legislature and its decision taken.

The *Revenue Member* opposing the amendment said that the Government never wanted to bind themselves to any new policy at present on the eve of the new constitution and felt that they should not tie the hands of any future Government acting in the matter as they liked.

The amendment was negatived, 28 voting for and 43 against.

The original motion that action on the settlement report of the Guntur district be stayed pending enquiry by a committee of officials and non-officials was passed.

#### VILLAGE COURTS ACT AMEND BILL

The Council earlier in the day passed into law a Bill to amend the Madras Village Courts Act (1888) enabling the minority communities to secure representation in the panchayat courts.

#### CITY MUNICIPAL AMEND BILL (CONTD.)

**9th AUGUST** —In the Council to day it was decided that the minimum monthly salary of departmental heads of the City Corporation should be Rs. 500 and the maximum Rs. 1,200. At present a few posts in the Corporation carry a maximum of Rs. 1,500 a month. The subject was introduced by Dr *C Natesa Mudaliyar* when the Council was discussing Clause 44 of the Bill to amend the Madras City Municipal Act. Dr *Natesa Mudaliyar* moved an amendment that the educational officer's salary should be between Rs. 400 and Rs. 500.

Mr *P V Krishnappa Choudhary* went further and said that officers' salaries should not exceed Rs. 500.

Mr *G Basu Dev* (Labour) supported the proposal that Rs. 800 should be the maximum and criticised the education imparted in the Corporation schools, which he described as "hopelessly unsatisfactory".

Mr *Jasad Hussain*, Commissioner of the Corporation, contradicted Mr *Basu Dev's* "wild statement" which, he said, had obviously been made without reference to facts and figures.

Mr *Basheer Ahmed Sayed* said that if salaries were fixed as low as Rs. 200 to Rs. 500 they would have great difficulty in finding suitable men for responsible posts. He cited the experience of Annamalai University in that respect and added that the Government and private institutions had experienced a similar difficulty when low

salaries had been offered. Recently, he said, the Government had advertised for a woman superintendent of a girls' school but the salary offered had been so low that no one in the whole Presidency would accept it.

The *Chief Minister, the Raja of Bobbili*, said that considering the amount spent on education by the Corporation it should be open to them to appoint competent men and to fix their salaries according to their qualifications.

Eventually *Dr Natesa Mudaliyar* withdrew his amendment, while the House rejected that submitted by *Mr Krishnappa Choudhary*.

The Corporation revenue officer's salary then came for criticism.

*Mr Abdul Hamid Khan*, moved an amendment that the officer's salary be raised to Rs 1,500 whereas the Bill provided a maximum of Rs 1,200.

*Mr P V Krishnappa Choudhary*, opposing, expressed surprise that Congress members who had hitherto been so clamorous to lower salaries for officials were now keeping silent. He suggested that the revenue officer's maximum salary should be Rs. 800 and urged that all higher officers should be paid a uniform scale of pay.

*Mr T. S. Ramaswami Ayyar*, supporting the suggestion for a uniform scale for higher officials, said that efficiency would suffer if salaries were unattractive. As an instance he mentioned that the committee of the Corporation recently advertised for a woman superintendent of child welfare centres on a low salary. Not a single application was received owing to the unattractive salary and the Corporation was forced to appoint an unqualified person. He suggested that for all departmental heads the starting salary should be Rs 500 a month, rising to Rs. 1,200.

*Mr V I Muniswami Pillai* said that to secure the services of a man efficient enough to supervise the collection of the Corporation's annual revenue of Rs 18 lakhs they should not offer such a low salary as Rs. 300 a month.

*Mr C R Parthasarathy Ayyangar* was sure that efficient young men could be found on a starting salary of Rs 250. If Indians wanted self-government they should look less to the amount of salary than to efficiency.

*Sir A P Patro* said that he sympathised with *Mr Parthasarathy Ayyangar*'s point of view but would ask him whether, to help poor litigants, he as an advocate had ever reduced his fee. Efficiency should be rewarded with adequate pay.

While declaring that under Swaraj he would agitate that the highest salary for a Corporation official should be Rs. 500 and that a Minister should receive no more than Rs. 1,000, *Dr Natesa Mudaliyar* said that at present even a Sawarayal would not accept the proposal that a revenue officer should receive only Rs. 250.

The *Chief Minister* said he realized, taking into consideration conditions in this country, that it was necessary to scale down salaries but they should not pick out only a few appointed for reductions. If there was a general scaling down there would be no difficulty in getting suitable officers nor would there be any dissatisfaction in the services. There was no need for the Corporation to pay higher salaries than those paid by the provincial Government.

*Mr Abdul Hamid Khan* withdrew his amendment moved by *Mr Ramaswami Ayyar*, fixing the minimum salary of Corporation departmental heads at Rs 500 a month and the maximum Rs 1,200, was adopted.

#### H. E. THE GOVERNOR'S ADDRESS

10th. AUGUST —Addressing the Council to-day, H. E. the Governor announced the extension of the life of the Council by one year from November next. His Excellency said that apart from the many and forcible arguments that could be advanced as to the unnecessary expense and trouble that the holding of fresh elections for a body that could only remain in existence for a short period would entail, there was now a new feature in the situation which had rendered the holding of a general election most inappropriate at this juncture.

The Government of India Bill had received the Royal assent and was now law. This measure provided a much wider franchise than what now existed and, it, therefore, followed that the present electorate had already in effect been superseded by the new one laid down in the Act, but owing to the administrative impossibility of immediately producing a new register and the time that must inevitably be taken in delimiting new constituencies and working the other great changes connected with the reforms, this new electorate would not be able to function for sometime. It would obviously be most inappropriate to have a new council chosen by the electorate that had in fact if not in actual law ceased to exist and there was therefore no option but to extend the life of the present Council until such time as the first elections under the reformed constitution would be held.



## TREATMENT OF PRISONERS

Mrs. Lakshmiipathi then moved an adjournment motion criticising the treatment of the prisoners convicted in the Madras and Cochin conspiracy cases with particular reference to Narasimhachari who, she said, was lying precariously in the Madras General Hospital after long illness. She said that their confinement in solitary cells, unsatisfactory nature of diet and general segregation had seriously affected their health and requested the Government not to be vindictive but to be more human and sympathetic in the matter of dealing with the political prisoners.

The *Law Member* replying said that far from being vindictive the Government had been very sympathetic towards those suffering from ill-health and was giving them the best medical aid at their command. Referring to Narasimhachari, the *Law Member* said that he had been bestowed special attention in the General Hospital. He was suffering from tuberculosis and according to the medical report he was showing good improvement. Speaking about the general treatment accorded to the prisoners convicted in conspiracy cases he said that they had been convicted of terrorist offences and were treated as such. He denied that they were confined in solitary cells and said that all considerations permitted by the rules were shown to them.

Mrs. Lakshmiipathi withdrew the motion. The Council then adjourned till October 29

## Winter Session—Madras—29th October to 11th November 1935

The winter session of the Council commenced at Madras on the 29th October 1935. Replying to Mr. Lakshmiipathi regarding the death of a prisoner in jail due to alleged flogging while he was suffering from dysentery, the *Law Member* denied the charge and said that the prisoner was given 15 stripes for deliberately refusing to work. At the time when the flogging was ordered, the superintendent and medical officer was perfectly satisfied that the prisoner was free from any trace of dysentery. Two days after the prisoner developed bacillary dysentery and died the same night.

The *Home Member*, replying to a question regarding measures, if any, taken for the relief of unemployment said that in view of the present economic depression and consequent unemployment among the rural population, the Government had sanctioned a scheme involving a capital expenditure of Rs. 50 lakhs for accelerating the programme of improvement to minor works of irrigation. The programme had been primarily directed to strengthening the bunds and, where necessary, other parts of the irrigation works and it was in the course of execution.

## ADJOURNMENT MOTION

After interpellations the member from south Canara moved an adjournment to consider a definite matter of urgent public importance, namely, the recent action of the Government in arresting respectable Mirasdars (landholders) in south Canara for non-payment of land-revenues which has caused widespread panic and resentment in the district.

Sir K. V. Reddy, leader of the House, objected to leave being granted for the motion on the ground that the action taken by the Government was in strict accordance with section 18 of the Revenue Recovery Act. Further it was a judicial matter and if the persons concerned felt aggrieved, it was open to them to seek remedy in a court of law. As the required number of members stood up in support of the motion, the president fixed 4 o'clock for the discussion.

**30th OCTOBER** —At the Council to-day the Minister for Public Works, answering a question, said the scheme of economic enquiry into the cost of production of crops in the principal sugarcane and cotton tracts in the presidency spread over a period of three and a half years mainly financed by the Imperial Council of Agricultural Research was being conducted under the auspices of the agricultural department.

## GOVT'S ATTITUDE TOWARDS SWADESHI EXHIBITIONS

Replying to Mrs. Lakshmiipathi regarding the policy of the Madras Government towards Swadeshi exhibitions the *Chief Minister* said that the Government would encourage such enterprises provided they were purely of non-political character.

To a supplementary question whether the Government would support the forthcoming All India Khadi Swadeshi Exhibition organised in Madras by the Congress organisation the *Chief Minister* said the matter would be considered on merits.

## DISCUSSION ON TOBACCO BILL

The discussion on the Tobacco Bill then resumed. *Sir A. P. Patro* characterised the Bill as inequitable, unjust and cruel on consumers. It was unwise, he said, to pursue the bill of fresh taxation at the far end of the Council. He asserted that there was no need for this taxation which would largely affect the labouring classes.

*Mrs. Subbana Lakshminarayanan* characterised the Bill as a reactionary measure which would hit hard the tobacco growers. The Bill, she added, would create class monopolists who would dictate terms and the growers would be entirely at their mercy.

*Dr. Subbarayan* objected to the Bill for fresh taxation was being brought in the Council which far outlived its normal term. If the Government felt its financial position unsatisfactory he suggested to them to introduce a cut in the salary and reduce the expenditure. Dealing with defects in the Bill he opined that if at all the measure was referred to a select committee it should definitely fix the license fees instead of giving a free hand to the executive.

The *Rajah of Bobbili*, leader of the Justice party, supporting the Tobacco Bill referred to the large remissions and other reliefs granted to the agriculturists which resulted in the deficiency of the general budget. The policy of the Justice Party, he said, was to give adequate relief to the agriculturists and to evolve a more equitable system of land revenue. He emphasized the need to continue the various relief measures already granted which he said would be possible only by exploring alternative sources of taxation.

The *Revenue Member*, replying, reiterated the necessity for finding out new sources of income to place their finances in a sound position in view of the coming reforms. If the general opinion was against introducing the system of monopoly the Government would be prepared to amend the Bill, and fix the license fees to deal with the other defects in the select committee.

After a protracted discussion lasting seven and a half hours the Council carried this evening the Government's motion referring to a Select Committee the Tobacco Bill as introduced by the Revenue Member by 47 votes against 17.

## HORSE BETTING TAXATION BILL

**31st. OCTOBER** —In the Council to day the *Home Member* introduced the Bill imposing tax on betting on horse and pony races in the Presidency, which received the unanimous support of the House and was passed into law.

## DELIMITATION COMMITTEE REPORT

**1st. NOVEMBER** —The Council devoted the whole of to-day to the discussion of the delimitation committee report. The speakers from the Opposition blocks condemned the system of single non transferable vote for plural constituencies as striking at the very root of the Poona Pact and supported the distributive system of voting which was in vogue in the presidency for a long time. Some preferred the whole district being made a unit for an electoral constituency to single member constituencies. The change in the electorate for the university constituency recommended in the report of the committee came in for severe criticism. The member representing the universities characterized the proposed change as retrograde. It would result in the disenfranchisement of a large number of graduates in the presidency contrary to the recommendations of the Lothian committee and the Government of India Act.

Further discussion was adjourned.

## MADRAS PUBLIC SERVICE COMMISSION BILL

On the motion of Mr. *Bashir Ahmed* the Council referred to the select committee the Madras Public Service Commission Bill, introduced by the Revenue Member. The measure is intended to replace the existing Act remedying certain defects experienced in its working and modifying the same to ensure that the Public Service Commission, functioning as far as practicable on the lines envisaged in the New Government of India Act, is in full working order in the presidency before the inauguration of the new constitution.

The House then took up the second report of the delimitation committee. The Finance Member, moving its consideration, said that the Government after considering the pros and cons of the report, had come to the conclusion that on the whole single member constituencies with a single non-transferable vote was the best.

Referring to the allocation of seats in each constituency, he said that it had been fixed on the population basis which was safer than basing it on provisional voters' lists which were found defective. He regretted that while all parties, classes and interests were represented on the committee the Congress alone neglected the opportunity offered them to put forth their view on the matter. He added that the whole report with various representations and minutes of dissent would be placed before the Hammond Committee.

**2nd. NOVEMBER**—The working of the Press Act in the presidency evoked a series of questions in the Council to-day. The Home Member, replying said in all 51 newspapers and other periodicals were called to furnish securities since 1931 of which 19 furnished them, the total amount so deposited being Rs 18,200. He added that all the deposits had been returned except in four cases. In one instance the Government had ordered a sum of Rs. 500 to be forfeited, but as the High Court set aside the forfeiture order the amount had since been refunded. As regards printing presses he said that 85 presses were called upon to deposit securities since 1931 of which 20 deposited a total amount of Rs 17,275. There was no case of forfeiture.

#### DELIMITATION COMMITTEE REPORT (CONTD)

Dr Subbarayan (leader of the Opposition), speaking on the Delimitation Committee's report, said "I feel for the real development of the country Multi-member constituencies are the best." On the question of the distributive single non-transferable vote he said he was pained and surprised to hear that the Government had decided in favour of the latter system. In this particular instance, he said, the Government seemed to have been carried away more by administrative convenience than by the opinion of the House. He added "I feel the single non-transferable vote would cut right across the Poona Pact and all the work that has been done to bring about a joint electorate for the scheduled castes and the rest of the Hindu community."

#### CITY MUNICIPAL AMEND BILL (CONTD)

**4th NOVEMBER**—An amendment moved in the Council to-day to the Madras City Municipal Act Amending Bill, by Mrs. Lakshminipathi and seconded by Mr C. R. Reddy, both members of the Congress, proposed that European and Indian commercial representatives on the City Council should be elected by a joint electorate, seats being reserved for Europeans.

Mrs Lakshminipathi said there should be no conflict of interests. Europeans had come to India to do business. As such they should identify themselves with Indians and there should be no feeling. Instead of the one reserved seat proposed in the amendment, she would be willing to concede two or even three.

Mr Reddy said if Europeans did not agree to the amendment they should explain why the amendment should not be modified by agreement so as to provide three reserved seats.

Sir William Wright, who is Chairman of the Madras Chamber of Commerce, paid a tribute to the friendly attitude of the mover and seconder and said that the Madras Chamber had a growing Indian membership and would probably eventually become a Chamber of Commerce representing all the commercial interests in the city.

After lunch further speeches were made on the amendment by both sides. Mr Basudev congratulated the European Corporation councillors on the excellent way they had helped it in its deliberations. The Chief Minister said he saw no reason why the wishes of institutions which were given representation should be disregarded. The amendment was defeated.

**5th. NOVEMBER**—An adjournment motion by Mr Paddy Raju, Member for West Godavari, to discuss the alleged interference of the Government in the District Board elections in West Godavari, was talked out in the Council to-day, after a heated debate. The mover, at the outset, said that in certain circles after the results had been declared, the Government, by an executive order, declared the elections invalid and ordered fresh elections. The Government, he said, had no power at all to do this. Secondly, the Government need not have stopped the counting of votes.

The *Spys of Bobbili* said the Government, in response to appeals made to them, had restored the names of three candidates whose nominations, in their opinion, had been improperly declared invalid. The matter was now before a court and hence was sub-judice. As regards stopping the counting of votes in one circle, the Govern-

ment had received information that there had been certain disturbances as a result of which an arrest had been made. The Government had, therefore, ordered the counting of the voting papers in the ballot box to be stopped. They had at the same time asked the District Magistrate to make a report.

The Chief Minister contended that the Government had power to stay an election and there was absolutely no doubt as to the validity of their order. The Government had not, by that order, caused any injury to either party. They had merely ordered the counting of votes to be stopped, pending a report from the district officers. The Chief Minister then cited cases to show that the Government interfered in local board elections in the past and that the present was not the first case in which they had done so.

#### EMPLOYMENT OF WOMEN

**8th NOVEMBER** —The employment of women in Government departments was the subject of several interpellations in the Council to-day.

Replying the Revenue Member said that women were now being employed on a number of posts in the Education, Medical, Fisheries, Jail and Labour departments and in some stray posts in the Public Health, Agricultural, Police and Judicial departments.

#### MADRAS ESTATES LAND AMEND BILL

The Council next passed into law a Bill to amend the Madras Estates Land (Amendment) Act, (introduced by the Revenue Member), extending the term of protection given to the ryot after eviction by six months from November 1.

#### CENTRAL LAND MORTGAGE BANK DEBENTURES

**8th NOVEMBER** —Allegations which the Second Minister (the Hon'ble Mr P T Rajan) said if made outside the Council would have had serious consequences for the speaker, were made in the Council to-day by Mr C Basu Dev when the Government resolution to increase the maximum amount of the guarantee in respect of the debentures of the Central Land Mortgage Bank to a total face value of a crore of rupees, came up for discussion.

Mr Basu Dev said that land mortgage banks were started without sufficient publicity, thus failing to secure support. Certain banks had not been functioning due to their falling into the hands of political cliques which used them for political propaganda. Government should abolish the banks. Government had been providing large sums to the Central Land Mortgage Bank for the relief of indebtedness, but indebtedness had increased. They should raise money through debentures to pay off the ryots' debts.

Other speakers raised other more friendly criticisms.

The Minister replying, said that instructions would be given to wind-up the banks which had not been functioning for four or five years and transfer them elsewhere provided suitable men were forthcoming to work them. The fact that no primary bank had defaulted in payment of arrears due to the Central Bank, showed that they were functioning fairly well. The resolution was carried.

#### DISLOYAL ACTIVITIES

During interpellations, attention was called to the action of the District Educational Officer, Malabar, in calling from the headmaster of secondary and training schools for a report regarding admissions of persons convicted of disloyal activities.

The Education Minister stated that the initiative was taken by the officer in consonance with the provisions of the Madras Education Rules forbidding admission, without the previous sanction of Government, of pupils convicted of disloyal activities. The Minister hoped that other officers would follow the Malabar example.

The Minister admitted that the Malabar officer had recently dismissed from service two secondary grade teachers in the Government Secondary School, Calicut, on discovering that they had been convicted in connexion with the civil disobedience movement in 1932 and employed without previous sanction.

The Council then adjourned till the 11th November, when after further discussion of the City Municipal Amend Bill, the House was prorogued.

# The U. P. Legislative Council

Nainital Session—18th. June to 3rd July 1935

The Nainital session of the U P Legislative Council commenced at Nainital on the 18th June 1935 with Sir Sita Ram, President, in the chair

Official business was taken up and items related to a discussion of the rules proposed to be made under the *Encumbered Estates Act*, *Regulation of Sales Act* and the *Agriculturists Relief Act* regarding which the President gave a ruling that the House could table amendments and vote thereon. *Ras Bahadur Vibramant Singh* wanted that consideration of the rules be postponed to enable the members to table amendments and this was agreed to

The House next passed the *Bill amending the Agriculturists Relief Act* and rejected the *Bill amending the Regulation of Execution Act* The Government accepted the verdict of the House and did not challenge a division.

## MOTOR VEHICLES AMEND BILL

The Minister *Nawab Sir Mohammad Yusuf* next presented the report of the select committee on the Bill to amend the *Motor Vehicles Act* and moved that it be taken into consideration.

Mr *Chintamani*, the Nationalist leader, moved that further consideration be postponed until the rules proposed to be made under the bill were placed before the House. The Minister opposed the motion describing it as a dilatory motion and challenged a division when the President declared it carried. The motion was carried by the House, 53 voting against 28.

## MOTOR VEHICLES TAXATION BILL

19th. JUNE.—The Council took up to-day the *Motor Taxation Bill* which provides for the imposition of a tax on motor vehicles. The Council took a very critical view of the Bill and subjected its provisions to a careful and searching scrutiny.

*Haji Obaidur Rahman Khan* moved an amendment to clause 12, reducing the penalty from one half to one fourth of the amount of the annual tax in case of failure to pay it in time. The Minister objected and the amendment could not therefore be moved. *Haji Obaidur Rahman Khan* next opposed the passage of the clause and he secured the support of almost the entire House, the two dissentients being Mr *F Ahmad Shah*, a nominated member and Pandit *Joti Prasad Upadhyaya*.

The Minister opposed an amendment to clause 20 moved by Mr *Chintamani*, urging that rules made under the Act should be laid on the table of the House for its consideration. The Minister while undertaking to do so refused to embody a provision to that effect in the Bill itself and the House refused to rest content with the Minister's assurance. There was an animated discussion on the clause whose deletion was advocated by Mr *Chintamani* and others. Mr *Chintamani* asked the Minister to state categorically whether he would object the insertion of another clause after clause 20 providing for a discussion of the rules by the Council before the House gave its verdict and the Minister did not give any reply thereto. The President at this stage adjourned the House.

20th. JUNE.—Resuming the debate to-day, Hon. *Sir Muhammad Yusuf* agreed to the insertion of the new clause that the Government should lay rules before the Council for discussion. After disposing of the remaining clauses the schedules were taken up for consideration. Reductions in rates and taxes proposed in the first schedule on private vehicles were reduced in some cases and in the latter part of the day there was a battle royal between advocates of rural interests and those of urban interests. The Bill proposes uniform taxes for different kinds of vehicles throughout the province and a somewhat contentious amendment was moved by *Thakur Muneswar Baksh Singh* that taxation in *Cawnpore*, *Lucknow* and *Allahabad municipalities* be higher than in the Province. His plea was that clause 19 provided for compensation of these municipalities which suffered loss of their income as a result of this bill and such compensation to those three municipalities which had excellent roads in other districts. A loud

cry was raised that rural interests were going to suffer for the sake of urban interests and Messrs Chankamau, Souter and others vigorously opposed this amendment which sought to make needless and invidious differentiation between those three cities on one side and the rest of the province on the other.

The Minister resisted the pernicious and ominous amendment which struck at the very root of the bill and it was defeated by 44 against 30 votes amidst cheers. There were two other divisions in course of the day over the rates proposed in the first schedule in which Government won.

**21st JUNE**—The House dealt with to-day part B of Schedule I, which specifies the rates of taxes for public service vehicles of various sizes. A number of members pressed for a detailed and satisfactory explanation of these three classes of routes, but the Minister said that it was a matter for the controlling authority to classify the routes according to certain criteria. Asked what rate would apply in case a hired vehicle which plied partly on a C class route, the Minister again repeated that it was for the controlling authority and the Government could only lay down a principle to guide him. What was the definition of controlling authority, enquired Mr Chankamau. Sayid Jaffer Hussain asked whether Kacha roads under the control of district boards would be included in this scheme of taxation. Nawab Jamshed Ali Khan wanted to know whether the Minister had any idea of A, B and C class routes. The Minister told the House that under clause 20-A the House would have an opportunity of discussing the rules to be framed under the Act and all those were matters for rules.

The President observed that the House was dealing with the schedule of rates, and if the matter was to be properly discussed, they should either ask for the deletion of those words or for a postponement. 'Now we are discussing nothing', he added. 'Only enquiries are being made and enquiries do not carry us very far in a piece of legislation. We can take up the amendment later if the House so desires.'

Mr. Raza Karam Prasad said that this schedule could not be disposed of until clause 4 was first of all disposed of. The discussion on this clause was postponed the other day to enable the drafting expert of the Government (the Legal Remembrancer) to clothe the amendment passed by the House in appropriate language and section 2 of this clause leaves it to the prescribing authority to classify all routes as special routes or ordinary routes, every ordinary route being further classified either as A class, B class or C class route.

The Legal Remembrancer read out the amendment he had drawn up, but it was rather too long and the House was not in a position to follow it closely. It was, therefore, agreed to postpone consideration of the bill till the 24th.

**24th JUNE**—Two defeats were inflicted on the Government to-day by the Council, during the second reading of the Bill. In the teeth of the stubborn opposition of the Minister, Sir Md Yusuf, the House carried Haji Obaidur Rahaman Khan's amendment to article 10 of the schedule providing that no additional tax be payable if a motor vehicle does not use the road for which it is permanently licensed during the period it is temporarily allowed to ply on other routes. This amendment in effect nullified the purpose of article 10 levying a weekly tax not exceeding Rs. 27 on vehicles temporarily plying on roads other than the licensed ones in addition to any tax paid under any of the foregoing articles. The House condemned this provision for double taxation and carried Haji Obaidur Rahaman Khan's amendment by 47 against 34 votes.

The Minister moved for the deletion of article 10 as an amendment by the House but his hopes were doomed to disappointment. The effect of the deletion of article 10 would have been to make no provision in the Bill for vehicles plying on roads other than those for which they had taken a license. This was a serious gap which the Minister promised to fill in by rules. The Council refused to be satisfied by this assurance and negatived the Minister's motions for deletion of the article by 40 against 26 votes.

The second reading stage was over after some consequential amendments were adopted and the Minister moved the third reading of the Bill.

Raja Jagannath Bahadur Singh, leader of the Independent Party, objected to the motion and the Deputy President, Nawabzada League Ali Khan upheld the objection under standing order 87. It says that on the day amendments to various clauses of a Bill are carried the motion for its passage cannot be made if objection is taken.

The House next passed the Bill amending the Encumbered Estates Act.

#### HYDRO-ELECTRIC PROJECT DEMAND

**25th JUNE**—The House discussed to-day the supplementary demand for a grant of Rs. 20,17,078 relating to the construction of hydro-electric tube wells. Mr J. M. Chay,

Finance Member, referring to the letters which recently appeared in the 'Leader' criticizing the hydro electric projects of the Government and Sir William Stampe, said that they were inspired more by malice than by any desire to serve the public interest.

Mr Chintamani asked what evidence the Finance Member had before him for making that aspersions on the motive of the writer that his letters were inspired by malice to which the Finance Member replied that his justification was amply contained in the letters themselves. Asked if it was his reference Mr Clay said that it was the inference of every fair minded man who read those letters. He strongly deprecated the method followed by the writer in not disclosing his identity and regretted that Sir William Stampe should have been attacked in that way. Mr Chintamani also strongly deprecated the malicious motives being attributed to persons with whom they disagreed, while he associated himself with the Finance Member in the tribute paid to Sir William Stampe. Mr Chintamani also asked if it was a fact that criticisms described as malicious were taken note of and fully answered by Sir William Stampe, but the Deputy President considered that the matter did not arise out of the debate before the House.

#### MOTOR VEHICLES TAXATION BILL

After supplementary estimates were voted *Nawab Sir Muhammad Yusuf* moved the third reading of the Motor Vehicles Taxation Bill. Mr Chintamani, Leader of the Opposition, made a masterly and remarkable speech, vigorously opposing the passage of the Bill. He emphasized that Sir M. Yusuf by sponsoring this Bill once more had shown that he was the enemy of local self-government in this province and was as equally ready to supersede local bodies as to take away their powers. Mr Chintamani was applauded at the conclusion of his speech before the House adjourned.

**26th JUNE** —When the Council resumed discussion on the third reading of the Bill to-day *Thakur Muneshwar Baksh Singh*, member, select committee, opposing the Bill said that his reasons for opposition differed from those of the leader of the Opposition. He said he had advocated two rates of taxes, higher and lower, both in his minute of dissent and amendments which the House did not accept. In view of the fact that uniform facilities were not provided for motor traffic throughout the province there should have been no uniform taxation. The speaker considered it most unreasonable that one living in the city should pay an amount equal to what was paid by a villager hardly traversing two or three miles daily.

*Sheikh Mohammad Habibullah*, supporting the passage of the Bill, referred to the criticism of Mr Chintamani that the Minister was a tool in the hands of the subordinate officials and pointed out that the Minister's policy was one of stooping to conquer and by that method *Nawab Mohammad Yusuf* got the maximum work done by those who worked under him. The speaker did not consider that the Bill was an ideal measure nor was he enamoured of its provisions. He, however, expected that it would result in an improvement of communications and provide better facilities for motor traffic. Concluding, *Sheikh Mohammad Habibullah* said that whatever might be the defects of the Bill it should not be thrown out.

*Mr L. M. Medley*, criticising the Bill, asked if every licensing station was going to have a weigh bridge for weightment of cars and lorries and pointed out that in the neighbouring provinces the motor tax was based on the number of seats. The Bill, he opined, abounded in justifications, making it very difficult to administer without a great deal of annoyance to motor owners and, therefore, he joined the opponents of the Bill. Mr Medley added that his vote would, however, be for the Bill because he recognized that a great amount of work and energy had been put into the measure.

*Kazi Rameshchari Prasad* opposing the third reading of the Bill strongly condemned the principle on which it was based, viz., depriving the municipalities of the motor tax which was a fruitful source of income. Their resources were very slender and their general revenue was bound to suffer. For recouping their funds the boards would be obliged to resort to further taxation which would certainly fall on the poorer people.

*Mr E. Ahmad Shah* supporting the passage of the Bill, pointed out that only 18 out of 86 municipalities exercised the power of motor taxation. The complaint that the boards were being deprived of that power was more nominal than real. He added that those municipalities would be adequately compensated and would not suffer loss of income.

*Raja Jagannath Baksh Singh* opposing stressed that there was no justification for imposing a tax at the present time when the economic conditions of the people were bad and, secondly, when the new constitutional reforms were soon going to be introduced. He strongly denounced the uniform rate of taxation on both the rich and poor people alike.

*Munshi Gajadhar Prasad*, further opposing, said that the Minister was not right in saying that the tax would only affect the rich. He stressed that the brunt of the taxation would really fall on the poor and pointed out that the Bill was another aspect of the policy of supercession of municipal and district boards which had been carried on by the Minister for some time.

*Hafiz Mohammad Ibrahim*, opposing, said that the Bill was a direct negation of the fundamental principles of local self-Government and was most retrograde. Further there was no justification for the uniform motor tax throughout the province in view of the fact that the local Government had not attempted to get their proper share from the petrol tax. He opined that the most pressing problem for the masses was not bad roads but bread and butter. He added that the construction of good roads was undertaken more in the interests of the military and foreign trade than in that of the poor taxpayer. Concluding *Hafiz Mohammad Ibrahim* emphasized that the Bill was brought for the benefit of the railways and the controlling authorities could so arrange the timings that the buses would be unable to compete with the railways.

*Rao Krishna Pal Singh*, opposing, said that it was very unfortunate that the Minister of this province should deliberately play into the hands of the central Government which was more interested in the railways. The fact of the matter was that the railways were to be encouraged at the expense of motor lorries and the latter at the expense of bullock carts which were the most economical and the cheapest conveyance for rural areas. The speaker referred to the numerous taxes levied by the central Government on motor spirit and accessories and urged that there was no room for further taxation by the local Government.

*Sir M. Yusuf*, winding up the debate, expressed his thanks to the Leader of the Opposition for his fine reference to him. Proceeding the Minister said that the principle of the Bill that there would be a central and uniform taxation had been accepted by the house and no exception had been taken to it. He urged that the bill was brought up with a view to help the district boards to improve their roads and denied that it was against the municipal boards. He proposed that the tax would only fall on the rich classes and the masses could enjoy good roads without paying a single penny. He asked the House not to be misled by the bogey of serving the interests of the railways. He stressed that the primary object of the Bill was to provide funds for the improvement of local roads and ensure safe motor traffic.

*Rao Rajeshwar Bai* challenged a division when the third reading of the motion was put and declared carried by the President. The house then divided and the Bill was passed by 72 votes to 21.

#### THE FIROZABAD RIOTS

The Council next carried without a division Mr Chintamani's resolution on the Firozabad riots as amended by *Nawabzada Muhammad Liaquat Ali Khan*, leader of the Democratic party. The resolution as adopted recommended to the Government to have a public enquiry made into the conduct of magistrates and police officers stationed at Firozabad in connection with the occurrences there during the last Moharrum after the riot cases have been concluded, should it be necessary in the light of the decision of the court.

The Home Member, *Kunwar Sir Waharaj Singh*, on behalf of the Government opposed both the original resolution as well as the amendment but did not challenge a division ostensibly because he realized that there was most complete unanimity in all sections of the House on the resolution as amended. When it was put to the House there was not even a whisper of a 'no' from the Treasury benches. The debate occupied less than two hours and was carried on perfectly good humour on both sides, the House being frequently convulsed with laughter during the speeches of Mr Chintamani and the Home Member. The public galleries were overcrowded.

#### NON-OFFICIAL RESOLUTIONS

27th JUNE. —A number of non-official resolutions were discussed in the Council to-day and all were carried with the exception of one which was withdrawn by the mover. The first resolution for a greater recruitment of the depressed classes' members as constables was moved by the nominated member for the depressed classes. The Home Member, *Sir Maharaj Singh* made a sympathetic speech in reply, undertaking to remove the restrictions contained in the Police Regulations.

The second resolution for a grant towards the building of a rest-home for *Naiik girls* and a committee of management for it was ably moved by *Lady Kailash Srivastava* and supported by members of various parties in the House who criticized



the Government for their apathy in the matter. The *Hans Member* made a very encouraging reply promising financial support for the scheme. He stated that it was difficult for him at this stage to commit himself to any definite figure without definitely examining the scheme. He told the House that he intended to invite a committee of three or four persons including Lady Srivastava to discuss the subject with him.

The next resolution to revise and refix the number of members of various municipal boards was moved by Mr *Brymandan Lal* and opposed by the Minister of the Local Self Government, Sir *At Yusuf*, and it was not pressed.

The last resolution which evoked a somewhat lively debate asked for morning courts in summer and an interesting speech was made by Babu *Jaydev Roy* who moved it. There was a sharp cleavage of opinion among the lawyer members and it was opposed by Mr *Clay*, Finance Member, who, however, did not challenge a division when the President declared it carried.

**28th JUNE**—Another non official resolution was adopted by the Council to-day urging a revision of the scale of remissions of rent in the light of changes in the prices of agricultural produce. The mover, *Nawab Jamshed Ali Khan* said that personally he granted remissions on a very generous scale which usually exceeded the scale permitted by the Government and he was only desirous that the principle whereon remissions were based should be strictly applied. He cited the prices of wheat, *gaur*, etc showing that there was an upward tendency and contended that remissions of rent could no longer be based on the low prices at the commencement of the slump period. Another reason advanced was that if no revision was made tenants might be led to believe that the present scale of remissions was a permanent feature. The resolution was supported by a number of zamindar members some of whom suggested the appointment of a committee of experts and non-officials which could thoroughly thrash out the whole matter and evolve a scientific basis. *Ras Sahab Thakur Shivadayan Singh* opposed the resolution in the interests of tenants whose misery and poverty he greatly deplored. The resolution was not opposed by Mr *J. N. Clay*, Finance Member, who said that the Government would carefully consider every suggestion made by non-official members and cited a large range of prices which did not show conclusively that there was a permanent upward trend.

#### ENCUMBERED ESTATES ACT

Official business was next taken up and the House discussed amendments to the rules framed by the Government under the Encumbered Estates Act. The amendments to the rules were still under discussion when the Council adjourned till 1st. July

**1st. JULY**—The rules proposed to be made under the Encumbered Estates Act, the Agriculturists Relief Act, and Regulation of Sales Act came up for discussion before a very thin House to-day. The Landlord Members, it would be recalled, insisted during the consideration of the debt bills last winter at Lucknow that the executive should not have unfettered discretion in drafting the rules under the various bills and that they should be laid before the legislature for discussion and the proposal was agreed to by the Government. Many members had already left the station and most of others did not evince such keen interest in the discussion of the rules as it was expected that they would do. It was, therefore, not at all surprising that debate on the rules were dull, dreary lifeless. The order paper contained a long list of amendments to the draft rules under each of the Acts, but the majority of them were not moved because of the absence of the members who had given notice of them.

#### MOTOR VEHICLES AMENDS BILL

There were no less than 52 amendments to the rules under the Bill to amend the Motor Vehicles Act. The Bill had to pass its third reading after the discussion of the rules.

**2nd JULY**—Resuming the debate on the Bill to-day Mr *Yusuf Ali* said that nothing should be done which might have the effect suppressing the lorry traffic in the interests of the railways.

The Minister accepted the spirit of the amendment with a view to dispel the doubts expressed by Mr *Chintamani*, Leader of the Opposition, and others and undertook to issue instruction to the traffic committees to be set up under the Bill but the House was in no mood to be satisfied by the acceptance of the spirit and not the body of the resolution. He was thus driven to give definite undertaking to embody the principle of the amendment in the rules.

A notable and striking omission in the rules was made good by an amendment moved by Mr Chintamani as regards the constitution of the Traffic Board. It was indeed a grave and surprising omission as Mr Chintamani pointed out in the course of his speech.

A series of amendments was moved to Mr Chintamani's amendment and the Minister took up the indefensible position as regards the representation of the Chambers of Commerce. He was for one seat being given to a Chamber of Commerce and later on agreed to the amendment of increasing the number to two. Mr Chintamani guessed which of the two were in the Minister's mind and pointedly asked the Minister which one out of the three chambers of commerce he was going to penalize. The Minister was thereupon obliged to say that he had no serious objection to accepting three seats. The House, however, carried by 41 against 22 votes the amendment giving two seats and rejected the amendment giving three seats.

The amendment that Government should nominate no more than four members to the board was also negatived by the House by 43 votes against 20. Another amendment to delete from rule 8 certain criteria to be followed when determining the number of permits allotted to the route was also rejected by 39 votes against 16. These divisions ended in a victory to the Government.

**3rd. JULY** —The remaining amendments to the rules proposed to be made under clause 11 of the Bill were discussed with great expedition to-day. The Council rejected an amendment by *Maulvi Fausuddin* against the fixation of a time table for public service vehicles and by 35 votes to 18 adopted an amendment moved by *Sir Muhammad Yusuf* leaving it to the decision of the controlling authority to grant a permit for one, two or three years. After all the amendments were disposed of the Bill was passed into law. The Council then adjourned *sine die*.

### November Session—Lucknow—18th to 22nd November 1935

The Council opened its November session at Lucknow on the 18th November 1935, with *Sir Sitararam* in the chair and disposed of all the seven *non-official resolutions* on the agenda paper. There was a full dress debate on two of them, but both were withdrawn on the Government spokesman giving an assurance of sympathetic consideration of the issues raised therein.

*Rai Sahab Rajeswar Prasad* moved a resolution recommending to the Government to introduce legislation amending the Debt Acts of 1934 and to amend rules made thereunder, specially with regard to matters whereon the Acts and rules are either vague or had been found to be defective in their application.

The Finance Member, *Mr J M Clay* said that he was unable to accept on behalf of the Government the resolution in the form in which it had been moved, though the Government was prepared to amend the rules and remove obvious errors or uncertainties. But the Government could not see their way to amend it themselves, as this would entail a change of policy underlying them. The mover withdrew the resolution.

*Mr Brynandantia's* resolution recommended to the Government to introduce a system of secret voting at the time of the coming elections to the Provincial Legislatures under the new Constitution.

The mover pointed out the hardships to which the present system put voters, urging the return to a system which prevailed from 1921 to 1924.

The resolution encountered hot opposition from several members, who emphasised that the present system was working satisfactorily and the change demanded was not carried for. The Finance Member, said that as far as the Government were concerned, they had not the slightest difficulty in accepting the resolution under the proviso that they should be able to guarantee that amount of secrecy which was possible with a largely illiterate electorate. The Government had done their best, and if need arose, would do their best to maintain complete secrecy in the ballot. The resolution was withdrawn.

### U P SPECIAL POWERS ACT

**19th NOVEMBER** —After three hours' discussion, the Council passed without division to-day, the U P Special Powers Act, extending the Bill, designed mainly to deal with the No-rent Campaign should it be revived. All sections of the House excepting the Nationalists, the main Opposition Party, supported the measure, leaders of various parties paying tributes to the Government for the sparing use made of the Special Powers Act 1932 (which is now expiring) during its period of operation.

The main argument advanced by those who opposed the present Bill, was that no emergency existed for its enactment for a further period of five years, though all of them admitted that there was not any objectionable feature therein.

The Home Member, *Sir Kameswar Maharaj Singh*, introducing the Bill, exhaustively surveyed the working of the expiring Act and emphasised the temporary preventive nature of the present measures. He compared the Bill with the similar measures passed in other Provinces which he thought were far more drastic in their application, as they also provided for maintenance of public peace and security, whereas this Bill was meant to deal almost exclusively with instigation to refusal of payment of legal habutias. Though the non-co-operation movement had been withdrawn, he proceeded, no assurance was given that it had been altogether abandoned or would never be revived. He quoted passages from pamphlets recently issued defining the attitude of those holding Socialistic or Communistic views towards landed and other vested interests. Besides, the present Government felt that they had to perform a duty towards the future Government, the idea being to give ample time to both future legislatures and future Ministers to settle down. It was, therefore, necessary to arm them with a weapon to fight subversive movements if the need arose.

#### BUDGET DEFICIT—DEMAND FOR SUBVENTION

**20th NOVEMBER** —*Rai Rajeshwar Prasad's* resolution recommending to the Government to take the Council into their confidence in connection with the case they intend to place before Sir Otto Niemeyer with regard to the future financial settlement between the Central and Provincial Governments was discussed by the Council to-day *Mr J M Clay*, Finance Member, speaking on the resolution, briefly surveyed the financial position of the Province during the last 15 years which, he said, was progressively deteriorating. At the start of the Montford Constitution in 1921, the Province had an opening balance of approximately Rs. 89 lakhs, which will have been converted into a progressive deficit balance of about Rs. 2.75 crores in March next, despite the strenuous efforts of the Government to reduce expenditure and develop revenue. After taking account of economies in recurring expenditure, which, it was hoped, would total Rs. 20 lakhs, it was anticipated that the deficit in the Revenue budget at the end of the next five years would be about Rs. 188 lakhs. Such being the financial position of the Province, the case which the Government proposed to put before Sir Otto was that in the financial settlement now about to be made between the Central and Provincial Governments this Province stood in just as much need of assistance as other deficit Provinces.

Further discussion on the resolution revealed practical unanimity of opinion among the members that the Province was unable to bear the burden of further taxation and, therefore, to meet the deficit a substantial subvention from the Government of India should be demanded.

**21st NOVEMBER** —*Rai Rajeshwar Rah*, supporting the case put forward by the Finance Member yesterday, pointed out to-day that the Province being predominantly an agricultural one, its revenues were inelastic. Therefore, he argued, it should be given a subvention adequate to meet the deficit from Central revenues. Representation should be made to Sir Otto that this Province should be accorded the same favoured treatment as the other Provinces.

*Haji Nasirullah* felt that the Government had failed to a certain extent in its duty to bring before the Finance Committee of the Round Table Conference and before the Joint Parliamentary Committee the financial condition of this Province, particularly that its accumulated deficit was on the increase every year.

He suggested that the Province should get a fair share of the income from the excise duty levied in this Province, which, he thought, would come to Rs. 50 or 60 lakhs. If this happened, the deficit would substantially be reduced.

**22nd NOVEMBER** —Replying to the debate to-day, the Finance Member said that they should put forward reasonable but not extravagant claims for assistance before Sir Otto Niemeyer, and, therefore, it was very desirable to impress upon him that they had done and were ready to do all they could to improve the financial position by imposing fresh taxation and further retrenching expenditure. It was also necessary not to conceal from Sir Otto the potential sources of revenue which, instead of weakening, would strengthen the case of the Province. He felt the sources of revenues were such that by careful husbandry they would be enabled to meet their requirements.

The object of the resolution having been gained, it was withdrawn, after which the Council adjourned *sine die*.

# The Punjab Legislative Council

Winter Session—Lahore—21st October to 29th November 1935

## THE PUNJAB CRIMINAL LAW AMENDMENT BILL

The winter session of the Punjab Legislative Council commenced at Lahore on the 21st October 1935 when the *State Aid to Industries Bill* and the *Entertainment Tax Bill* were introduced and referred to a select committee and circulated, respectively. Mr M. A. Ghass, Labour Member, opposed the State Aid to Industries Bill on the ground that the State must itself start industries and not bolster up capitalism.

An interesting debate took place on the Government motion for the re-enactment of the existing Criminal Law Amendment Bill, relating to which the *Finance Member* adduced the same arguments as in the Assembly, namely Communism, Communism, Terrorism and the uncertainty of non-resumption of the civil disobedience.

How handy the Criminal Law Amendment Act came to the Government at the time of the last jubilee celebrations when certain terrorists were busy with their plans, was mentioned by the Finance Member, Mr Boyd in the course of his speech recommending the enactment of the measure. He said that the prompt application of the Act on the eve of the jubilee celebrations in May last frustrated the intentions of two gangs, one of which was arrested in possession of a revolver. Terrorism had not yet disappeared from the province and at the same time Communism and Communism were raising their head.

Mr Nanak Chand Pandat, Shaikh Mohammad Sadig and Choudhury Asadullah opposed its re-enactment, Mr Nanak Chand stating that Communism was due to separate electorates and Communism and Terrorism were due to deeper causes requiring a radical remedy.

**22nd OCTOBER**—The feelings aroused by the Shahidganj agitation loomed large during to day's debate, in the Council, on the Punjab Criminal Law Amendment Bill, when several Muslim members attacked the measure as a weapon which was demonstrably capable of mischief.

Shaikh Abdul Ghass said that the exacerbation of the Shahidganj trouble was entirely due to the deportation, in the first instance of Moulana Zafar Ali and Sayed Habib. He further said that the repeated application of the Act, after the Rawalpindi Conference, to deport further 10 leaders was due to wrong information that civil disobedience was to be launched.

On the other hand, Sikh members, including Sardar Ujjal Singh and Sardar Arjan Singh supported the measure on the ground that powers were necessary in the hands of the Government to put down terrorism.

A notable opponent of the Bill was Choudhury Chhoturam, Leader of the Unionist Party, the largest party in the Council, who said that terrorism and Communism were non-existent in the Punjab and that there was no chance of revival of the Civil Disobedience movement. In the course of the debate, the Government announced that they were prepared to consider the limitation of the "life" of the Bill.

**24th OCTOBER**—The Government motion for the consideration of the Bill was carried to-day without division being challenged. Before the motion was put to vote Mr Mukund Lal Puri (Urban Party) said that if the Bill were at all passed it should be passed with threefold restrictions, as to the time, particular crimes, duration of respective orders.

The Finance Member, replying to the debate, referred to the application of the measure to Shahidganj agitation and said that the Government was sorry that it had to use the measure in connection with the Shahidganj affair. He assured the House that in case of an amicable settlement of the affair, the Government would be prepared to release all undertrial prisoners as also others not convicted for violence and cancel the deposit of security by newspapers and other restrictive orders. He said the Government would abide by this assurance even if the Shahidganj agitation were continued, provided it was on constitutional lines.

After the motion for consideration was passed, several amendments were moved, limiting the duration of the Bill's "life". Mr Puri's and Sardar Gurbachan Singh's amendments limiting the life of the Bill to two and three years respectively being rejected, *Chaudhri Asaf Ali's* amendment limiting the life of the Bill to five years was carried.

#### PUBLIC UTILITY SERVICES BILL

**25th. OCTOBER**—An echo of the dispute between the Lahore Electric Supply Company and the Lahore Municipal Committee in May 1934 resulting in the threat by the former to cut off electric supply for street lighting in Lahore, was heard to-day in the Council when the *Finance Member* introduced the Punjab Control of Public Utility Services Bill which empowers the Government to control the Public Utility Services namely, any industry, business or undertaking which supplies light or water to the public or any system of public conservancy or sanitation in case discontinuance of supply of such service is contemplated. The Bill was circulated for eliciting public opinion.

#### CRIMINAL LAW AMENDMENT BILL (CONTD)

During the clause by clause discussion of the Bill several non official members pressed the Government for assurances that internees would be given maintenance allowances. They also wanted that the case of internees should be placed before an independent judge soon after internment.

The *Finance Member* stated that the present practice was that the cases of internees were reviewed by Government every six months. He expressed his inability to give assurances asked for as he had no time to consider these suggestions.

After clause 3 was amended to limit the period of internment or externment to one year, the clause as amended was carried by a large majority of 45 to 9. The remaining clauses were disposed off quickly.

The second reading of the Bill was passed by the Council. Amendments seeking to confine the clause dealing with powers to arrest without warrant terrorists and communists only and limit the period of internment and externment under the provisions of the Act to one year were passed, Government accepting them. The Bill was referred to a committee in order to make the consequential changes.

#### SUPPRESSION OF IMMORAL TRAFFIC BILL

**25th. OCTOBER**—The Select Committee report on *Pandit Nanakchand's Bill* for Suppression of Immoral Traffic was presented to the Council to-day and the second reading of the Bill was passed, with minor amendments. The Bill was referred to the Select Committee for making the consequential alterations. The Bill sought to penalise the keeping of a brothel, living on the earnings of a brothel, living on the earning of prostitution and procuration and importation of women for prostitution.

#### DEBTORS PROTECTION BILL

At the end of the day, *Rao Bahadur Choturam's Debtors Protection Bill*, which provides for additional security for debtors, was taken up for consideration on a motion that it be referred to a Select Committee. Discussion was proceeding when the Council adjourned.

**29th. OCTOBER**—The Bill was referred to a Select Committee by the Council to-day, the Government not opposing the motion.

That measures such as this would only help to spread Socialism was the argument advanced by *Shrimati Lekhawati Jain*, in opposing the measure. There was no need for the present Bill in view of the existence of the Punjab Relief of Indebtedness Bill. It was already difficult, if not impossible, to realise debts and thus Bill would make the situation worse.

*Sardar Sampuran Singh*, supporting the motion, said that the Bill sought to remove malpractices in the money-lending profession.

Replying to the debate, the mover said that barring one or two provisions there was nothing new in the Bill. Several Judges of the High Court had approved of the measure and opposition to it was confined to the money-lending classes who formed only nine per cent of the population.

Mr D J Boyd, Finance Member, announced that while the Government were not opposing the Bill, they were not committed to any of its provisions.

A non-official Bill for free primary compulsory education for girls in the Punjab, moved by Mrs Lekkawat Jaisi was circulated for eliciting public opinion.

#### NON OFFICIAL RESOLUTIONS

**1st. NOVEMBER**—In the Council to day, a non-official resolution, moved by Mr Muhammad Dan Malik, recommending to the Government to allow District Boards to elect non official Chairmen in cases where a resolution is passed by a bare majority of non-official members to that effect and without obtaining the Government's approval and also to allow voting for deciding the question about official or non official chairmen to take place by ballot, was rejected by 44 votes to 10

Another resolution moved by Mr S S Gurbachan Singh, recommending to the Government the appointment of a Committee of non official members of the Council to consider the question of introduction of regular moral instruction in primary and secondary schools and to suggest other adequate measures to improve the moral discipline in schools was withdrawn by the mover, following an assurance given by the Minister for Education and the Director of Public Instruction that the Education Department was already doing its best in the matter and promising to give consideration to the suggestion made by the mover and other supporters of the resolution

**4th. NOVEMBER**—In the Council, to-day, a non-official resolution moved by Shri mata Lekkawat Jaisi, recommending to the Government to change the electoral rules of local bodies in such a manner as to make an Honorary Magistrate ineligible to stand as candidate for the membership of the local bodies within his magisterial jurisdiction was rejected

A second non-official resolution recommending to the Government to assess land revenue in accordance with the principles on which income-tax was levied was still under discussion when the House adjourned till November 11th.

#### SHAHIDGUNJ MOSQUE DEMOLITION

**11th NOVEMBER**—At question time in the Council to day Mr D J Boyd, Finance Member, revealed, in reply to a question by Mr Akbar Ali, that in order to avoid the situation, assuming the dimensions it did, the question of reserving the Shahidgunj under the provisions of the Ancient Monuments Act was considered, but rejected as impracticable in the circumstances.

Vehement allegations by Muslim members, that the Government had connived at the demolition of the Sahidgunj Mosque by the Sikhs, and equally firm denials by the Government spokesmen, characterised a debate on the demand for a supplementary grant of Rs. 72,670 for additional police in connection with the Sahidgunj agitation for six months with effect from Aug 1, in the Council to day

Chaudhri Afzal Haque, the Ahrar leader, opposing the demand alleged that the Government had connived at the demolition. He alleged that the military officers were aware on the night of July 7, a few hours before the demolition actually commenced, that the mosque was going to be demolished

The Finance Member—That is an absolute lie.

Chaudhri Alladad Khan Mr President, this is unparliamentary  
The President held that it was unparliamentary and requested the Finance Member to withdraw it.

The Finance Member withdrawing the word 'lie' said that he meant that the statement made by the speaker was incorrect.

Chaudhri Afzal Haq continuing said that the Government were aware that a crane had been taken into the Gurdwara for demolishing the mosque and he accused the Government of having supplied it.

The Finance Member intervening denied the allegation

The Chief Secretary further denying all allegations said that the Government had no information that a crane was being taken to Shahidgunj for pulling down the mosque. Neither had they any previous information that the mosque was going to be demolished. On July 7, he was informed by the deputy commissioner that the question of demolishing the mosque was going to be discussed at the meeting of the Gurdwara Prabandhak Committee the next morning. On the same night at 1 a. m. he was informed on the phone that the mosque was being demolished, and in order to avoid

any bloodshed the military was posted at 5 a. m. which was four hours after the demolition had started. (Cheers).

*Sheikh Mahomed Sadiq* (Amritsar) opposed the demand and urged an impartial enquiry into the firing in connection with the Shahidganj agitation. Referring to the assurance given by the deputy commissioner to the Muslim deputation on July 2 that the mosque would not be demolished till the Government had had time to examine the legal issues, *Sheikh Sadiq* asked the Government if they had examined the case before demolition actually commenced.

*The Finance Member* Yes

*Sheikh Mahomed Sadiq* asked why then the Government did not tell the subsequent deputation, which waited on the Governor on July 6 that the Government has examined the case.

*The Finance Member* said that the Government did inform the deputation that the Government had examined the case and had come to the conclusion that the Sikhs had the legal right to the mosque. At the same time, added the Finance Member, the Government felt that the Sikhs had a moral responsibility in the matter.

*Sheikh Sadiq* continuing said that there would be no peace in the province till the Government met the Muslim demands for enquiry into the firing and compensation to those killed or wounded in the firing, release of the Shahidganj internees, restoration of securities of the Muslim press and restoration of the Shahidganj mosque.

*The Finance Member* intervening pointed out that the restoration of the Shahidganj mosque was a *sub judice* question.

*Chowdhry As-Dullah* complained against the Sikh officers who had been put in charge of dealing with the Shahidganj agitation in Lahore. The discussion had not concluded when the House adjourned.

**14th NOVEMBER** —Replying to a question in the Council to-day *Mr Boyd*, Finance Member, said that 18 Muslims had been interned in connection with the Shahidganj agitation. The Government were satisfied that these persons had acted or were about to act in a manner prejudicial to public safety and peace. The Finance Member revealed that the externees were getting subsistence allowances ranging from Rs. 25 to 120.

The opportunity to discuss matters relating to the Shahidganj dispute, afforded by a supplementary demand for a sum not exceeding Rs. 72,670 for additional police, in connection with the Shahidganj agitation, was fully availed of by the Sikh and Muslim members of the Council, when the discussion on the demand was resumed to-day. Despite the whole day's discussion in which more than six members took part, the debate had not concluded when the House adjourned.

*Malik Mohamed Din* (president of the Lahore municipal committee) supported the Government action in dealing with the situation arising out of the demolition of the mosque. He, however, urged the Government to release the Shahidganj internees and restore the securities of the Muslim newspapers, in view of the change in the situation now.

*Sardar Upal Singh* expressed the opinion that the Government waited too long before calling the military out. It was the first instance in which so little force had been used. The speaker asked the Muslim members as to what part they had played in preventing lawlessness. He accused the Government of weakness in dallying with the situation and at the same time paid a tribute to the city magistrate, *Sardar Narendra Singh*, and the deputy commissioner, *Mr S Pratap* for handling the situation so tactfully. Concluding his speech he warned the authorities that if the present state of affairs continued, there would be an anarchy in the country shortly.

*Mr Masher Din Ashar* said that the Government had not been wise in handling the situation, which had become so bad that a mutiny was imminent.

*Sardar Arjan Singh*, while supporting the measures taken by the Government, took exception to the exemption of swords from the operation of the Arms Act in the Punjab, at a time when the communal situation was still far from satisfactory. He referred to the enrolment of ten lakhs of Muslim volunteers and wanted to know why these volunteers were being enrolled.

*Thakur Feroz Khan Chaudh*, the only Hindu member, who participated in the debate, supported the demand and stated that it was the sacred duty of the Government to protect the legal rights of the people. He felt that the Government should have suppressed the agitation in the beginning.

**18th. NOVEMBER.**—The Council carried to-day by a majority of 14 votes to 24 the demand for a supplementary grant of Rs. 72,870 for additional police in connection with the Shahidgunj dispute.

During the debate the Muslim members alleged that the Government had connived at the demolition of the mosque by the Sikhs while the Sikhs accused the Government of weakness in handling the situation. The Government spokesman firmly denied the charges, pointing out that the Government had adopted the only possible course under the circumstances.

Foul calumny, mean attack, and a wicked misstatement of facts—with these words the Finance Member, Mr. Boyd characterized the charges levelled against the Government by the speakers on the Shahidgunj debate. To the epithets, the president ruled that 'foul calumny and mean attack' were unparliamentary whereon Mr Boyd withdrew the words.

Mr Boyd asserted that the conduct of the military and officials was most excellent. For the first time in history such care and restraint was exercised, only 23 shots being fired though fire was opened on ten occasions.

Referring to the release of the internees, the Finance Member said that since his announcement in the Council on Oct. 10 there was no improvement in the Shahidgunj situation but on the other hand there had been mass demonstrations, enrolment of volunteers and a threat of civil disobedience. He appealed to the House to support the grant in view of the continuance of the state of excitement in the province.

The Finance Member, referring to the allegation that the Government had supplied the winch for pulling down the Shahidgunj mosque, said that the position was as stated by Sardar Sampuran Singh, that that winch was obtained from the Sikhs. He added that the Government had seriously considered the demand for an enquiry into the firing, but in view of the fact that the conduct of officials at the helm of affairs was known to the Government, and no step was taken by them without the Government's approval, the Government did not think that an enquiry was necessary.

The legal position, the Finance Member asserted, was made clear to the Muslims, and as long as the legal rights were not modified by civil courts in ordinary legal process the Government must adhere to their position.

*Kumhar Hemraj Singh* pleaded that as additional police was necessitated by the conduct of the Lahore public, this expenditure should be levied on them and not on the whole province.

Mr *Nanak Chand Pandit*, supporting the grant, said that the Government had committed a grave blunder in exempting the sword from the operations of the Arms Act and appealed to the Muslims to avoid bloodshed in the name of religion.

#### CRIMINAL LAW AMEND BILL (CONTD)

**18th NOVEMBER** —The Punjab Criminal Law Amendment Bill as amended, was passed by the Council by a large majority of 47 votes to 15. It will be recalled that a non-official amendment, restricting the life of the Bill to five years, was accepted by the Council earlier.

When the third reading of the Bill was taken up by the Council to-day, *Chaudhary Allahdad Khan*, opposing the Bill, said that it should be so restricted as to apply to terrorists or civil resisters only. When the Criminal Law Amendment Act was being enacted in 1932, the Finance Member had assured that it would not be used against persons except terrorists and civil resisters. He pointed out that during the recent Shahidgunj agitation the Act was applied and leaders of the agitation were deported.

Mr *Nanak Chand Pandit* thought that the shadow of the Shahidgunj agitation influenced a certain section of the House who without considering its consequences had supported the Bill. He characterized the Bill as an indirect attack on the liberty of people. Communism did not exist in the province. To seek emergency powers to deal with non-existent movements was unjustified.

The Finance Member, referring to Mr Allah Dad Khan's remark regarding the assurance given in 1932, said that the assurance referred only to one clause and not to the whole Bill.

Mrs. *Lakshmi Jau* also opposed the Bill. The Bill was put to vote and carried by 47 votes to 15.



## PUNJAB STATE AID TO INDUSTRIES BILL

The House then proceeded to discuss the Punjab State Aid to Industries Bill as reported by the select committee which was presented by the Minister of Local Self-Government. This Bill aimed at providing state aid to industries in the province. About 80 amendments had already been tabled by non official members. To day the House discussed for an hour an amendment moved by Mr *M. A. Ghani*, labour leader, which was eventually rejected by an overwhelming majority. The Amendment sought that two representatives each of labour, agriculturists and industrialists, should be on the Board of Industries instead of one from the Northern India Chamber of Commerce and one from the Indian Chambers of Commerce. The Council then adjourned.

**19th NOVEMBER**—The second reading of the Bill was passed to day by the Council. Several non official amendments were moved but barring one or two minor amendments all were rejected. The House divided on non official amendments which sought that preference should be given to industries which consumed the agricultural or mineral products of the province. It was rejected by 46 votes to 28, the Government opposing.

Another amendment moved by the Labour representative desired that labour should be represented on the board of industries for giving advice to the local Government for which provision had been made in the Bill.

The *Minister for Local Self Government* the mover of the Bill, opposing the amendment, said that the Government could not agree to give representation to organized labour alone as the interests of unorganized labour would not be represented if the amendment was accepted. The amendment was defeated.

An official amendment seeking deletion of the proviso made by the select committee to the clause relating to powers to grant loans restricting interest on loans advanced by the Government to 1 per cent. more than the rate of interest paid by the local Government on the latest loan raised by them was carried.

After the second reading was passed the Bill was referred to the drafting committee for making consequential amendments.

## THE DEBTORS PROTECTION BILL (CONTD.)

**21st NOVEMBER**—The Punjab Debtors Protection Bill, as amended by the Select Committee, was taken up in the Council to-day. The Bill which was sponsored by Mr *Choudhri Chhoturam*, presenting the Bill, appealed to the House to keep in view the interest of 90 per cent of the population of the Province who were indebted. The Bill received the support of Judges, Deputy Commissioners, and others and contained nothing new except one or two clauses regarding licensing of money lending. Appealing to the Hindu benches, Mr Chhoturam said that his Bill was a test of sympathy of the Hindu Sathaites for the masses. Sixty three lakhs of Hindus were indebted, whereas the Sahagars were only 40,000 in number. If Hindu members would oppose his Bill they could not claim to represent Hindus. He was sure that his Party and the Sikhs would support his Bill, which had been improved to a great extent in the Select Committee.

*Raja Narendra Nath*, leader of the Nationalist Hindu Party, who initiated the opposition to the Bill, said that the Bill was too drastic, too one-sided and premature. It would stultify working of Conciliation Boards constituted under the Relief of Indebtedness Act. It would not help zamindars and would make the work of conciliation between zamindars and money-lenders more difficult. If the Bill was passed, decree holders would find it difficult, if not impossible, to realise their money.

*Rai Bahadur P. Mukerji* representing the commercial interests in the Council, said if the Bill was passed, the credit structure of the province would collapse. He referred to the resolutions passed by various commercial bodies opposing the Bill.

*Rai Bahadur Mutundlal Puri* opposed the Bill, while *Sardar Arjan Singh* supported it. *Shrimati Lekhwah Jain* also opposed the Bill.

*Messrs Choudhri Riyazul Ali Mohamad Hyat Qureshi* and *Sardar Sampurnan Singh* supporting the Bill pointed out that the principle of the Bill had been accepted by the House and therefore there should be no opposition at this stage. Discussion had not concluded when the Council adjourned.

SUPPRESSION OF IMMORAL TRAFFIC BILL (CONTD)

Earlier, the House passed the third reading of the Suppression of Immoral Traffic Bill without discussion.

THE DEBTORS' PROTECTION BILL (CONTD)

**22nd NOVEMBER**—*Rao Bahadur Sewak Ram* opposing the motion for taking the Bill into consideration to-day, said that he saw in the Bill an attempt to suppress the minority community and he appealed to the Government not to be a party to this legislation.

*Choudhury Ram Sewak* said that there was nothing in the Bill which debarred money-lenders from realising monies lent to other persons.

*Mr Namakchand Pandit*, opposing the measure, pleaded the cause of a poor villager who, he said, would be deprived of any credit in his village if the Bill was passed. What could a poor villager do when he was in urgent need of money, if credit was made difficult by the passage of the Bill. The speaker assured his whole-hearted support to any measure that would kill shylocks. On the other hand, a poor man wanting money would only be compelled to part with his belongings to raise cash, if the Bill was passed and the moneylending profession would be made difficult. What was dishonourable in a moneylender's profession? Hinduism was not against moneylending and if the Muslim religion discountenanced it, the Muslims should not try to impose their religious views on other communities in the province. There was injustice, inequity and illegality in the provisions of the Bill which sought to deprive a decree-holder of the fruit of his efforts to realize his debts. The speaker referred to the efforts made in 1923 to introduce a similar Bill for the registration of moneylenders in the Assembly on which the Government of India after collecting the opinions of various local Governments came to the conclusion that the task of registration would be impossible and the measure would cut at the root of the rural credit system. *Mr Boyd*, Finance Member explaining the Government's attitude towards the Bill, said that the Government had sympathy with the principles of the Debtors' Protection Bill but its attitude was qualified by (1) fairness to creditors, and (2) the avoiding of anything which might dislocate the credit system. He then indicated those clauses which the Government would be supporting either in the present or amended form. The Finance Member said that the Government would mainly oppose the proposal for the registration of moneylenders which in the opinion of the Government was undesirable and impracticable.

*Rao Bahadur Chhoktaram*, the mover of the Bill, relied to the criticism levelled against the Bill and pointed out that some of the members had described his Bill as a revolutionary, communist and socialist measure, but in fact there was nothing of these in his Bill and it was purely a measure to protect debtors. In regard to the proposal of registering moneylenders, he said that this system was in force in England since 1800, which had not turned into a Communist and socialist country. His motion that the Bill be taken into consideration was put to the house and carried. The council then adjourned till the 25th.

**25th NOVEMBER**—Three of the closest divisions occurred to-day on amendments to the Bill resulting in a victory for the Government twice and defeat on the third occasion, by a majority of one on all occasions.

Disorderly scenes were witnessed during the second division when the President had to warn members against using force in canvassing votes. Seeing members still canvassing in the Hall, the President warned them that only one minute was left for voting and division lobbies accordingly were closed before two members reached the Government lobby. In the meantime, however the President announced that he was under a misapprehension that the time allowed was three minutes, but that actually it was six minutes, and allowed the two members to vote. The result of the division had not been announced, when overriding his previous ruling, the President ruled six minutes was to be counted from the ringing of the division bell and, therefore, cancelled the votes of the two members.

The Government amendment sought to substitute the words "to other sources of" in place of "to other land owned and possessed by" in the clause relating to the partial exemption of land in execution of decrees, which read as follows: "Such portion of judgment debtors' land shall be exempted from temporary alienation as in the opinion of the Collector, having regard to other land owned and possessed by the judgment-debtor, is sufficient to provide for the maintenance of the judgment-debtor and his family".

The President ruled that the amendment be split into two, one for deletion of the words "other land owned and possessed" and the other for substitution of words "to other sources of."

The House divided on both the amendments, the first was carried by 88 to 37 votes and the second was lost by 88 to 57 votes.

The third amendment moved by *Per Akber Ali* desired that the words "to other sources of personal income of" be inserted in place of the words "to other land owned and possessed by" which had already been deleted through the Government amendment.

The Government opposed the amendment, which was lost by 88 to 37 votes.

Earlier in the day, the House passed without discussion the first three clauses of the Bill.

The Government moved an amendment to clause 4 relating to the period of temporary alienation, limiting the period to twenty years as provided only in case of statutory agriculturists. Mr *A. V. Ashworth*, Home Secretary, moving the amendment said that unless the representatives of non statutory agriculturists expressed a desire to be included in the purview of the clause, Government could not but oppose any extension of the principle of the Land Alienation Act.

Mr *Choudhri Chhoturam* and members of the Rural Party, opposing the Government amendment, opined that there was no reason why protection, which had been given to statutory agriculturists should not be extended to all agriculturists. They further contended that by accepting the Government amendment, the Bill would become a class measure.

*Raja Naradramath* and other members of the Hindu Benches, supporting the Government amendment said that the money-lenders had advanced money to non-statutory agriculturists in the belief that land belonging to this class of debtors was available for liquidation of their debts. It would be unjust to limit that security to the prejudice of moneylenders.

The *Finance Member*, explaining the Government position, said that it was a constitutional Government and would not do any act which was unconstitutional. Protection given to a certain class under the Land Alienation Act could not be extended to other classes, without the consent of the party.

The amendment when put to vote, was carried. The Council then adjourned.

**26th. NOVEMBER** —The Rural Unionist Party won three out of four divisions to-day on amendments to the Bill sponsored by their leader, despite the strenuous and combined opposition of the Government and the Hindu Party. With their voting strength considerably augmented to-day, the Party carried everything before them.

Following yesterday's tussle in the Council over Clause 5, *Rao Bahadur Chhoturam* announced in the Council to-day, when it resumed discussion on the Clause, that an agreement had been reached between the Government and his Party (Unionist Party) over the clause, and he moved the following fresh Clause in place of the original clause "Such portion of the judgment debtor's land shall be exempted from temporary alienations, as in the opinion of the Collector, having regard to the judgment debtor's income from all sources, except such as is independent on the will of another person, is sufficient to provide for the maintenance of the judgment debtor and the members of his family, who are dependent on him."

The mover stated that Clause 5 as amended yesterday had been rendered meaningless and that he was glad that an agreement had been reached on the new clause that he had moved between the Government and his party.

Hindu members complained that the new clause was being introduced at short notice.

The President took the sense of the House, which favoured introduction of the new clause and Dr *Chhoturam* a amendment to this effect was put to vote and carried.

By an amendment to Clause 9, Mr *Chhoturam* wanted that notwithstanding any custom to the contrary, the ancestral property in the hands of the subsequent holder shall not be liable to attachment in execution of decree or order of court relating to debt incurred by any of his predecessors instead "of notwithstanding anything to the contrary contained in any other enactment for the time being in force", as it stood in the original clause.

The Government opposed the amendment which was, however, carried by 43 to 36 votes. The House divided again on Clause 9 on another amendment which was carried by 45 to 34 votes, Government opposing.

Clause 10, providing for exemption of standing crops and trees, except sugarcane and cotton, from attachment or sale was also carried despite the Government and Hindu opposition by a majority of eight votes

Mr *Mukundlal Puri*, Hindu Party, opposing the clause, said that if standing crops were exempted, the agricultural debtor would sell them before they were ripe and the creditor would not be able to execute his decree

Mr *Boyd*, Finance Member, stated that the statutory agriculturist's land was already exempted from attachment under the Alienation Act and sanction had been given to a member for a measure relating to trees. The House then adjourned till the 28th

**28th NOVEMBER**—The discussion was resumed to day on clause 11 of the Bill. The clause provides that where an application to execute a decree not being a decree granting an injunction, has been made, no order for execution of the same decree shall be made upon any fresh application presented after the expiration of six years from the date of the decree as long as a judgment debtor had not fraudulently or forcibly prevented the execution of a decree

By an amendment Mr *Mukundlal Puri* wanted to exclude from this period of six years such periods as would be spent on deciding objections to an attachment or other disputes, as also the period for which a judgment debtor may have been absent from British India etc But the amendment was rejected

Opposing the clause *Pandit Nanak Chand* accused the Government of being a party to an Act which would deprive a creditor of his dues. He characterized the bill as a daylight robbery

*Choudhury Chotu Ram*, the mover of the Bill, said that the question before the House was to reduce the period of execution of a decree from 12 years to six years. Twelve years were too long and induced indifference not only in the decree-holder, but also in the creditor. By reducing the period they would be making the decree-holder more vigilant than now

The clause was carried without division. Clause 12 providing that the burden of proving that any consideration, alleged to have been paid by a money-lender actually passed, shall be on him (money-lender) met with a strong opposition from the Hindu party and the Government

Mr *Anderson*, legal remembrancer, said that if the burden of proof was placed on the creditor the result would be that he would produce more witnesses and cost would ultimately have to be paid by the debtor. He said that it was not fair to subject a particular class of litigants to a different law of evidence.

The House was divided on the clause which was carried by 84 to 31 votes

There was again a keen opposition to the clause relating to the registration of money-lenders which was one of the main provisions of the Bill. *Pandit Nanak Chand* said that the question of registration of money-lenders was altogether new in India and had been rejected as impracticable after due consideration in the past.

Sir *Joginder Singh*, Minister for Agriculture, reminded the House that according to the Banking Enquiry Committee's statistics there were nearly 1,900 agriculturist money lenders and asked the supporters of the bill if they wanted this restriction to be imposed on agriculturists themselves for whose benefit they were enacting this measure. The clause was rejected by 34 to 30 votes and the remaining seven clauses of the Bill relating to the registration of money-lenders also dropped automatically and the Bill, as amended, was read for the second time

#### ASSAULT ON JIWAN SINGH CONDEMNED

**29th NOVEMBER**—Galleries were full when the House took up to day the consideration of the adjournment motion by *Sardar Bishan Singh* to discuss the situation created by a dastardly and murderous assault on *Jiwan Singh* on the evening of Nov 26 and to urge upon the Government to take necessary steps for ensuring the safety of life and property in the province. The mover alleged that *Jiwan Singh*, the victim, was assaulted by the Muslims in broad daylight in the Mushim area and that none came to his rescue nor attempted to apprehend the assailants. He complained that the Government were not courageously upholding the dignity of the law

*Sardar Buta Singh* deplored that this was not the first instance when such cowardly acts had been committed in Lahore. Such crimes were against the tenets of every religion and everyone should condemn them in no uncertain manner. He urged the Government to impose a punitive police on the locality

concerned and further to suppress the communal press. He also appealed to the Muslim councillors to take the place of false leaders who were misleading the masses.

*Nawab Ahmed Yar Khan Daultana* reiterated that such acts deserved the strongest condemnation. The Muslim councillors had condemned and would continue to condemn such acts.

*Chaudhry Afzal Haq* joined in the condemnation of such assaults. He asked the Government to place the facts in full regarding Shahidgunj before the public, as that would clear all misapprehension which lay at the root of such assaults.

*Pondit Nawab Chand*, welcoming the condemnation of such attacks by Muslim members, appealed to the Government to hold the scales evenly between different communities.

*Sardar Ugal Singh*, whose speech was frequently interrupted, alleged that Jivan Singh was left bleeding on the street till a young Sikh came to his rescue. He added that strong condemnation of such acts had not been forthcoming from Muslim leaders. He urged the Government to treat the localities, where such incidents took place, as they treated Chittagong in Bengal and impose the punitive police.

*Sir Jogender Singh*, Minister of Agriculture, said that it was with a deep sense of humiliation that he was taking part in the debate. While standing on the threshold of great changes in the Punjab, they were fighting over trivialities among themselves, ignoring the vital issues. He exhorted the members to carry the condemnation of such acts outside the walls of the House.

*Sir Feroz Khan Noon*, Minister of Education, emphasised that no Muslim, if he was a Muslim, could condone such acts which were against the very fundamental principles of Islam. He appealed to the press not to bring the communal factor before the public and agreed with the suggestion that demonstrations should be stopped.

The *Finance Member* said that the Government had deplored such acts more than others, as apart from humanitarian aspect, such incidents always had germs of trouble in them and the Government were most anxious to avoid a flare-up of communal feelings. He hoped that this would be the last of assaults. While it was not definitely known yet that this particular case was a communal one or otherwise the Government were doing their best to avert such incidents. What was needed was a calm atmosphere and he appealed to the House to bring about such an atmosphere which was all the more necessary on the eve of the introduction of reforms. He assured the speakers that their suggestions would receive serious consideration of the Government and explained that action was being taken by the police in preventing such acts. He added that investigations had shown beyond doubt, that there was no organized movement behind such incidents. The motion was put to the vote and carried.

#### TWO BILLS CARRIED

The Council next discussed the third reading of the Punjab State Aid to Industries Bill (an official bill) and the Punjab Debtors Protection Bill (non-official) both of which were passed. The Council then adjourned sine die.

# The C. P. Legislative Council

August Session—Nagpur—8th August to 17th August 1935

## OFFICIAL BILLS PASSED

The August session of the Central Provinces Legislative Council commenced at Nagpur on the 8th August 1935. After formal business the House transacted official legislative business. The House passed into law two important Bills—the *C P Wild Birds Animal Protection Bill* and the *C P Courts Amendment Bill* which sought to amend the C P Court Act of 1917 in order to make it applicable on the establishment of the High Court of Judicature in Nagpur.

On the motion of the Finance Member, Mr E Gordon, the *Debt Conciliation Amendment Bill* was enacted into law and the *C P Adjustment and Liquidation of Industrial Workers Debt Bill* based on the recommendation of the royal Commission on Labour providing for liquidation of workers unsecured debts was referred to the Select Committee.

## PARSI FESTIVALS HOLIDAY

9th AUGUST.—The monotony of the Council was broken for a time to-day, when Khan Bahadur Tarapore made a humorous speech, when he demanded three new public holidays in connection with Parsi festivals.

Mr Tarapore referred to the fact that Parsis were an important minority in the Province and had contributed materially to its industrial development. The new holidays which he asked for were already in vogue in Bombay.

Mr Iftekhar Ali, Rai Bahadur Dadu Dwarkanath Singh supported the granting of one holiday.

Greatly regretting that he had to oppose the resolution, Mr Boughton, Chief Secretary said that notwithstanding the fact that that body of hardworked persons, viz, Government servants needed more holidays for recreations and rest, the Government were opposed to any increase in the number of holidays. They had uniformly opposed similar requests from Jains, Sikhs, Hindus and Muslims and the Finance Committee appointed in 1932 had expressed the same view. The resolution was pressed to a division and carried by 32 votes to 20.

## INDUSTRIAL EDUCATION

The Government policy on the question of industrial education was clearly explained by Mr Owen, Director of Public Instruction. The Province, he said, was essentially agricultural and industries comparatively were small. In recent years, the Government had paid considerable attention to the subject of spending annually Rs 1,22,921 in maintaining ten industrial schools. The Governments were not prepared to incur further expenditure, for, Mr Owen said, no scheme of vocational training was likely to be successful which was out of relation with the existing industrial development.

## THE BENDA INCIDENT

10th AUGUST.—The adjournment motion to discuss the "serious riot, arson and murder which was recently committed by soldiers of the King's Regiment at the village of Benda, near Jabalpur" was taken up to-day and the motion was carried without division.

Mr K P Pande, moving the adjournment motion, recalled the circumstances attending the incident and complained that no information was forthcoming regarding the action taken by the authorities concerned. He wanted an assurance that such occurrences would not be reported in the future.

The Home Member, Mr Rao, explaining the Government's position read out the Government of India's Communiqué of July 24 and added—"The Government recognises that the occurrence was most regrettable and the House may rest assured that both Civil and Military authorities were doing their best to bring the guilty persons on

both sides to justice. The Court of Enquiry has not yet given its findings and I cannot, therefore, anticipate them but the Government are satisfied that enquiries are being pushed through with expedition. I can only ask the House to wait until the enquiry is complete.

The motion was supported by all sections of the House including Mrs. Ramabai Tambe, the only woman member.

The Chief Secretary, Mr N K Roughton, intervening later in the debate, explained that the contribution of a rupee each by soldiers of the King's Regiment to the family of the deceased villager was not by way of compensation but should be considered as satisfying the urgent needs of the family. The Civil and Military authorities were still investigating the incident. The Government were receiving reports day to day and were keeping closest touch with the developments. The Deputy Inspector-General of Police was on the spot at present. The crucial problem was the difficulty of identification. He hoped within a very short time investigations would conclude and he appealed to the mover to withdraw the motion.

Several members complained that the Government had not taken action so far despite the fact that three weeks had already passed since the occurrence. The motion was carried without division, after which the House adjourned.

#### DEBTORS RELIEF BILL

**12th. AUGUST**—In the Council to-day, the Debtors Relief Bill which underwent considerable changes in the Select Committee stage was opposed by the Home Member, Mr Raghavendra Rao, who said that if a law of this kind remained in force for three years, which itself was not a short period, it was sure to create in the mind of the creditors a feeling of insecurity leading to the restriction of the movement of capital from creditors to debtors. The Bill would give a sort of moratorium and he mentioned several Government measures for affording relief to the distressed agriculturists. The Bill was defeated by 20 to 36 votes.

#### TENANCY AMENDMENT BILL

The House also rejected the Tenancy Amendment Bill by 12 to 30 votes. The Bill sought to change the present law to enable the tenantry and Malguzars of the Province to overcome the present difficulties, arising from economic depression. The Government opposed both the non-official Bills.

#### HINDU RELIGIOUS TRUSTS BILL

**13th AUGUST**—The Council devoted practically the whole day discussing an important non-official Bill affecting the management of Hindu religious and charitable trusts in the Province, tabled by Dr P S Deshmukh. The Bill was originally introduced on January 31, 1935 and gave rise to much agitation amongst the orthodox section of the Hindu community.

Visitors galleries which were deserted yesterday were packed with Mahants, Brahmin priests and Sanatanists who had run down to Nagpur from distant places to watch the Bill's fate. Excitement prevailed both in and out of the House.

The object of the Bill was to secure better management and administration of Hindu religious and charitable public trusts and to ensure that trusts funds and trusts property were not diverted to objects foreign to the purpose of the trust. It was based largely on the Madras Hindu Religious Endowments Act of 1927.

In moving reference of the Bill to a select committee Dr Deshmukh said that the board which would be set up under the Bill to supervise management of these institutions would put a stop to the squandering of funds. He asserted that public opinion supported the Bill, which, in itself, was a reply to Sanatanists' objections and that he had no desire to unduly interfere with the purpose of trusts. To vote against the Bill was, in his opinion, voting for corruption.

Mr R N Bomerjee, Revenue Secretary, opposing the Bill on behalf of the Government said that non-official opinion thereon was equally divided. Trusts in the province were small in number and their income limited. Even in Madras where their number was large, the system had failed there, by involving considerable loss to the taxpayer. The measure involved serious interference in religious rights, customs and sentiments of Hindus and the matter was of too great importance to be decided on the counting of heads. Conclu-

ding, he added that the Government could not undertake to incur any fresh charge on provincial revenues even if the Bill was enacted into law.

Messrs. *Iftikhar Ali*, *Rao Sahab Pulay*, *D. T. Mangalmurti*, *T. J. Kedar* and *S. G. Sapkal* supported the motion for select committee, while *Seth Shoolal*, *Mr. Y. M. Kale*, *Ras Sahab Lala Jainarayan* and *Khan Bahadur Tarapore* opposed the Bill.

Mrs. *Ramabai Tambde*, *Mr. K. P. Pande* and *Mr. Jhumal Verma*, however, favoured reconstitution of the Bill. While sympathising with the aims and objects of the Bill, they felt that certain provisions thereof were of a contentious nature.

Closure was applied for by *Mr. Mangalmurti* at the end of four hours' debate, but several members desired to state their views on the Bill. Opposition to closure was, however, defeated by 23 votes to 17.

*Mr. Verma's* motion for reconstitution of the Bill with a view to eliciting public opinion thereon was then pressed to the division and carried by 29 votes to 24. Government members were given the choice of free voting, but European officials abstained from voting.

#### LOCAL SELF-GOV'T (2ND AMEND) BILL

The House also agreed to *Mr. M. P. Kolhe's* motion for reference of his O. P. Local self Government (second amendment) Bill, No. 10 of 1933, to a select committee. The Bill sought to preclude any person from residing within municipal limits for election, selection or appointment as Chairman, Vice chairman or member of a District Council or Local Board, unless he possesses qualification of a voter under the Act, is resident within any circle and is otherwise qualified under the Act. The Government did not oppose the motion. The Council then adjourned till the 15th.

#### LIBELLIOUS PRESS COMMENTS ON MEMBERS

**15th AUGUST** —In the Council to-day, after the question time, the President *Mr. S. W. A. Rasse* made the following statement with regard to alleged libellous comments on the members of the Council —

"I have observed with regret that at times libellous comments appear in the columns of the newspapers concerning the conduct of hon'ble members of this House. As the spokesman of this House and as the guardian of its privileges, I cannot allow them to go unnoticed. My definite opinion is that if an hon'ble member is libelled outside with regard to his conduct on the floor of the House, I must protect him as far as I can. In the future if such comments appear, I would request the hon'ble members to bring them to my notice and I shall myself be on the look-out for them."

The President then announced that *Mr. T. J. Kedar*, Opposition Leader had given notice to move an adjournment of the House to discuss the demands of peasants from Wardha who are at present in Nagpur.

*Mr. Kedar* intimated the withdrawal of his motion as negotiations were at present proceeding to reach a settlement.

#### ESTABLISHMENT OF A HIGH COURT

**16th AUGUST** — When the Hon'ble *Mr. Raghavendra Rao* made a supplementary demand of one rupee for additional expenditure in connection with the establishment of a High Court in the Province on January 9 next, *Mr. R. A. Kantikar* raised a debate urging that the High Court should be manned mostly by members of the bar and that the claims of members of the judicial service should receive due consideration at the hands of the Government. *Mr. D. T. Mangalmurti* supported him.

In reply, the *Home Member* referred to the Local Government's letter dated June 30, 1934, to the Government of India on the subject and said that under Section 101 of the Government of India Act, out of six judges, two, including the Chief Justice, will be barristers, two members of the I. O. S. and the remaining will belong to either of these two classes or may be judicial officers or pleaders. That was the position of the Government then and it was so to-day also. The demand was then carried.

#### SALARIES CUT

The hon. *Mr. B. G. Khaspekar's* demand for Rs. 88,016 for restoring the cuts in salaries of employees of the Transferred Departments was responsible for a vigorous



attack on the Government's policy in the matter. It may be recalled that in March last, the Council refused to vote supplies for the restoration of cuts on the ground of financial stringency. Subsequently, expenditure to restore cuts in reserved departments was certified under Section 72 (4) of the Government of India Act. The present demand was brought forward as the Government considered that the Government servants of all classes should receive equal treatment in this respect and believed that the existing discrimination will be recognised as unjust. They, therefore, asked the Council to reconsider its decision by presenting a supplementary demand.

Several members opposed the demand on the ground that the Government move was a violation of the views clearly expressed in the House and that restoration of cuts in grants to local bodies was the more pressing need.

The Hon. Mr. Khaparde was glad to note that the inequality now prevalent in the salaries of Education (Transferred) Department was appreciated and there was desire to remove it. As regards grants to local bodies, they were bringing forward a token demand to indicate that the Government was examining the possibility of restoring cuts and that was more than a promise.

The House agreed to the demand by 44 votes to 10.

Supplementary demands for other Transferred Departments were also voted.

The Council next agreed to spend Rs. 20,000 for the construction of roads in the Province. Expenditure under this head will be financed from the Government of India Reserve under Road Development Account.

The House further agreed to spend one lakh of rupees for reconstruction of the C P Secretariat Buildings during the current year. The total estimated cost of restoration of the building to its former condition is two lakhs.

Moving another supplementary demand in regard to grants to local bodies for education and general purposes, the Hon'ble Mr. Gordon, Finance Member, stated that the Government appreciated the hardships imposed on local bodies by cuts in grants. They were at present examining the question. The demand was agreed to.

#### FIRST OFFENDERS PAROLE BILL

The Hon'ble Mr. Raghavendra Rao introduced an important measure in respect of release on parole of first offenders. In moving that the Bill be referred to a select committee, Mr. Rao said, "The legal basis of probation rests on the power of the court to suspend conditionally the imposition or execution of a sentence. Its aim is to substitute for imprisonment or some other penalty a form of penal treatment which, it is assured, will be best able to achieve the reformation of the offender. Probation and parole are justified on the basis of their avowed reformative influences and it has been claimed that a large percentage of probationers and paroled persons do not return to crime. The Bill is a modern and rational departure in penal treatment. The motion was agreed to."

#### AGRICULTURAL PRODUCE MARKET BILL

The Hon'ble Mr. B. G. Khaparde next moved that the C P Agricultural Produce Market Bill as reported by the select committee be passed into law, to which the Council agreed. The Bill, which was based on the recommendation of the Royal Commission on Agriculture, aimed at putting a stop to various malpractices which prevailed in grain markets and prevent the agriculturists from receiving his due share of the final price of his produce.

#### COTTON GINNING AMEND BILL

The Hon'ble Mr. E. Gordon a Cotton Ginning and Pressing Factories (C. P.) Amendment Bill, seeking to check certain malpractices like watering and mixing of cotton and false packing of bales was circulated for eliciting public opinion thereon. The Council then adjourned.

#### DELIMITATION COMMITTEE'S REPORT

17th AUGUST.—Visitors' galleries were crowded to-day when the Council commenced discussion on the C. P. Delimitation Committee's report and proposals for delimitation of constituencies of the Central Provinces and Berar Legislative Assembly, under the new constitution.

The Hon'ble Mr. E. Gordon, Finance Member, and President of the provincial Delimitation Committee, presented the Committee Report and urged the members to express their opinion thereon. "Government", he said, "is not committed to the Middle Scheme or any other Scheme but considers that the tentative

scheme provides a suitable basis for discussion with a view to elicit opinion of members of the House. The Final conclusion of the Government, together with the Delimitation Committee and the discussions in the House will be brought to the notice of the Hammond Committee." Proceeding, Hon. Mr Gordon said that under the India Bill, which has now been enacted into law, the Central Provinces and Berar would be one province. He asked the members to take this point into consideration while discussing the Report and view the province as one unit instead of a conglomeration of conflicting interests.

Mr Gordon next dealt with the details of the Middle Scheme and concluding stated that the Middle Scheme adumbrated in the Report sought to effect a compromise between conflicting interests. It was also based on the greatest common measure of agreement and he had no doubt that it would lead to greatest common harmony (Cheers).

Mr T J Kedar (Opposition Leader) then moved the following amendment —

"And upon such consideration this Council is of opinion that the delimitation scheme should be framed on the following principles —

(a) That no weightage should on any account be given to Berar, (b) that delimitation of reserved and unreserved non-Muslim seats should generally proceed on population basis, inequalities, if any, to be adjusted on consideration of voting strength, (c) that a tahsil should ordinarily be a unit of constituency, (d) that, out of two seats allotted to Labour, one should be filled by Trade Union constituency, (e) that seats so released from Berar should be allocated to Marathi Central Provinces and Jubbulpore division, (f) that, as regards seats reserved for scheduled castes, one more seat be allotted to Berar in exchange for an unreserved seat to be transferred from Berar to Central Provinces.

This Council is further of opinion that a scheme based on these principles be prepared by the Central Provinces Government and submitted to the Hammond Commission and that no other schemes hitherto submitted, which are inconsistent with the above principles, would be acceptable to this House.

In moving the amendment Mr Kedar devoted special attention to the question of allocation of seats to Berar. Referring to the South Borough Commission's Report he pointed out that in the pre-Reform days, the proportion of elected representatives from Berar to that of U P was 2 to 5. The Montford Reforms allotted 14 seats to Berar on the same proportion, the voting strength of each constituent part of the province being the guiding principle. He urged that members from Berar should stick to the principle by which they had gained in the past. On population basis, Berar was entitled to 22 seats, while on the voting strength she was entitled to 19 seats. The Middle Scheme provided 8 seats in excess of the voting strength, and five of the population basis. Neither financial considerations nor population basis were ever the basis for allocation of seats in the past and he considered that Berar was entitled only to 22 seats.

Referring to the contention of Beraris that they were entitled to more seats because they contributed more revenue, Mr Kedar said that the demand was undemocratic. The India Bill did not go further than conferring a special responsibility on the Governor for ensuring that a reasonable proportion of provincial expenditure was spent on Berar. The mother of Parliaments could not concede a demand of the kind made by Berar members.

Mr R A Kantker (Nationalist, Berar) said that Berar Members would move the following amendment to the motion of Mr Kedar —

"And having considered it, this House resolves that in view of the political importance of Berar and its contribution to provincial finances, the representation proposed to be given to Berar is extremely inadequate and although, according to the principles of representation recognized in enacting the Government of India Act, 1935, Berar can legitimately claim 43 out of 112 seats in the Legislative Assembly of the province, it should be allotted at least 37 seats so that the interest of Berar may be safeguarded and adjustment of the conflicting interests of the two parts of the province facilitated."

In support of his contention Mr Kantker said that the weightage allowed to Muslims in the province should not be saddled on Berar only. They must also include the aboriginal population of the province while determining the voting strength as these classes had been separately provided for Berar under these circumstances formed 24 per cent of the total population of the province and out of the 84 (Non-Mahomedan) divisible seats she was entitled to 21 seats. Muslims of Berar would get 6 seats while 5 seats would be allotted to special constituencies,

This was the basis on which the Middle Scheme had been framed. Mr Kanther further stated that the case of this province was one of a miniature federation and Berar was entitled to one third seats as had been provided for in the Federal Chambers.

*Rao Sahab Fuley* (Labour) in urging that at least one seat out of the two allotted to Labour should be filled by the Trade Union constituency considered that the Middle Scheme was thoroughly unsatisfactory and undemocratic as it ignored the basic principles formulated by the various committees and commissions appointed by His Majesty's Government. He supported Mr Kedar's amendment.

*Mr G. A. Ganes* (Depressed Classes spokesman) referred to Mr Gandhi's letter recently published on the question of primary elections under the Poona Pact and urged that four should be the maximum instead of minimum number of candidates at such elections. He also pleaded for increased representation to the Depressed Classes in Berar.

*Mrs Ramadai Tambe* was at the moment satisfied with the proposed arrangements for representation of women from Urban areas.

*Kaew Bahadur Syed Hifasat Ali*, supporting the amendment, said that Berar has already had more than her due share in representation at the expense of other parts of the province.

*Dr Punjab Rao Deshmukh* (Berar) emphasised that it was necessary for Berar to have one representative at least in the future cabinet, with a view to safeguard the interests of Beharis. While generally agreeing with Mr Kanther's viewpoint, he urged that the interests of rural women should not be sacrificed. Although Mr Gandhi's interpretation of the provisions on the question of primary election in the Poona Pact, as outlined in his letter, was not correct, he was prepared to agree with it to bring Depressed Classes in line with facilities extended to non-Mahomedans in the matter of elections.

*Mr S. G. Nank* asked for a few more seats to Depressed Classes in Berar. While *Mr M. Y. Sharsaf* (Nagpur division Muslim) said that Berar need entertain no fears as regards treatment they would be accorded by the Central provinces since she had in the past been always fairly treated by the latter province.

*Mr K. P. Pande* complained that Berar had had advantageous treatment at the hands of the Government in preference to the Central Provinces.

Mr Kedar's amendment as regards representation on population basis was carried by 81 votes to 29. The clauses recommending no weightage to Berar was carried by 33 votes to 30. The clause regarding Labour representation through a Trade Union Constituency was adopted by 27 votes to 19.

The concluding portion of the amendment relating to the preparation of a scheme not based on the above principles was not moved.

The House then adjourned sine die.

# The Assam Legislative Council

Autumn Session—Shillong—10th. to 18th. September 1935

The autumn session of the Assam Legislative Council opened at Shillong on the 10th September 1935. Two Government Bills, the *Assam Municipal Amendment Bill* and the *Assam Local Self Government Bill* were moved for consideration after the presentation of reports of Select committees. The Council then adjourned.

## ENQUIRY INTO RYOTS' POSITION

11th. SEPTEMBER.—The suggestion that a Committee be appointed to inquire into the present economic position of the ryots of the province was accepted by the Council to-day.

A resolution in this respect was moved by Mr Rohini K. Choudhuri who recommended the appointment of a committee, consisting of the Hon. the Revenue Member, two Divisional Commissioners, the Director of Agriculture and five members elected by the Assam Council to inquire into the rural economic position and the factors responsible, and to suggest means for the amelioration of the ryots. The mover said that the condition of the ryots was "going from bad to worse," while the so-called peasant proprietors were in a grave plight. He quoted figures to show that imports into Assam of such products as rice, molasses, gur, sugar, wheat, ghee and mustard far outweighed the export of these products. He was of opinion that Assam's products were not sufficient to meet the needs of Assam consumers. He did not agree with those who held that the agricultural products of the province were lying in the granaries for want of suitable marketing facilities.

The Hon Mr W L Scott, Revenue Member, while sympathising with the condition of the ryots, opposed the resolution on the ground that signs were now visible of the ryots securing better prices for their products. The revenue returns for the last four months, he said, showed better realisation of land revenue as compared with the corresponding period last year and the downward trend had been checked. The speaker assured the House that the Government were studying the situation and would derive considerable benefit from the preliminary report of the Bengal Economic Inquiry as rural conditions in Assam and Bengal were practically similar. In regard to imports and exports, Assam was exporting annually nearly 2,700,000 maunds of tea.

Mr Senat Kumar Das suggested that the crops had been destroyed by the floods owing to the want of a sufficient number of railway culverts. While the ryots were paying increased revenue the conditions of their land was daily deteriorating in productivity and little or nothing was being done to remedy this state of affairs.

Rai Bahadur Nilambar Dutt said that Assam stood in urgent need of a recovery plan and an Economic Inquiry Committee was necessary—not to produce a voluminous report but to evolve a constructive scheme for improving agricultural produce and prices.

Mr W E D Cooper welcomed the proposal, while Mr Kasmath Sathia suggested that if the ryots could not cultivate paddy they should raise rubber crops, such as pulse, etc, and that the committee should look into this question.

Mr Jogendranath Gohain said that the agricultural prices were falling, and if ryots' condition did not improve the finances of the Government would suffer.

Mr H G Denneshy, Secretary, Transferred Departments, pointed out that the Government had appointed a small marketing organisation in Assam which had already collected valuable data on which work could proceed. The Government would take the Council and the public into their confidence when

the report of the marketing Officer was received. Furthermore, the Commissioners of the two Valleys had been asked to report on the indebtedness of the ryots. The present moment, the speaker added, was not opportune, from the financial point of view, for the organizing of research work for rabi crops and he was of opinion that a new Economic Inquiry Committee would be premature in view of what the Government were already doing in this matter.

The resolution was put to the vote and carried by a majority of votes.

#### TOLL FREE TRAFFIC ON BRIDGES

*Ras Bahadur Nilambar Datta* moved a resolution recommending that the recently constructed bridges over the Dehing and Dihow rivers be made toll free for all vehicular traffic and pedestrians. He agreed that these bridges were constructed from the Petrol Tax Fund, and as motorists had already been taxed they were being made to pay twice over.

The Hon *Ras Bahadur Promode Chandra Datta*, Judicial Member, asked why general revenue should bear the maintenance cost of these bridges. If it were a question of principle as to whether all major bridges should be made toll free that would be a different matter, but he could not differentiate in favour of these two bridges.

The resolution, being put to the vote, was lost by 23 to 13 votes.

#### OTHER BILLS

The Council next took into consideration the *Assam Municipal Amendment Bill, 1934*, the *Assam Mohammedan Marriages and Divorces Registration Bill, 1935* and the *Assam Municipal Amendment Bill, 1935*. It was agreed that the *Assam Embankment and Drainage Bill 1935*, should be circulated for public opinion. The Government also accepted the motion for the appointment of a Select Committee to consider the *Assam Land Revenue Reassessment Bill 1935*.

#### SEPARATE UNIVERSITY FOR ASSAM

**13th SEPTEMBER.**—The Council to-day passed the supplementary demands for grants under General Administration, Police, Education and Civil Works. The demand for the appointment of a separate university for Assam led to a long discussion.

Mr *Robini Kumar Choudhury*, in the course of a cut motion, severely criticized the appointment of Mr J. R. Cunningham on financial reasons. He was of opinion that the Government might have appointed one of the local officers, like Mr Roberts, who was then on leave and who would be returning to India exactly at the time when Mr Cunningham was expected to return, namely, towards the end of October. In his opinion it was a waste of money to pay his passage both ways in addition to a salary of Rs. 1,250 per mensem when the work of collection of data for a scheme could well be done by a local officer with an additional expenditure of only Rs. 175 per month by creating a post of lecturer.

Mr *Kasmath Saikia* pointed out that the amount now sought for, viz Rs. 7,400 was a misleading one as it included only the salary of the officer for three months, while in reply to a question only this morning the Hon'ble Minister had said that the special officer would finish his work by March next which meant nearly five months' work.

*Khem Bahadur Moulavi Keramatali* said that he had great respect for Mr Cunningham, but he was afraid that the Government had been proceeding so slowly in this matter that no scheme could be ready in time for presentation before the Subvention Committee. The resolution for the establishment of the university was passed in the Council in May last and now it was September. They had heard that a man was being asked to collect material and figures, but he had not even been appointed as yet.

Mr *H. G. Dennesky* deprecated a discussion on the comparative merit of officers on the floor of the House. He informed the House that the special officer had already been appointed subject to sanction by the Government of India and that he would reach India by the end of October. As regards the time to be taken, he expected the work to be finished in three months, though some more time might be taken for preparation of the report.

*Khem Bahadur Nuruddin Ahmed* disapproved of the appointment on the ground that when a special committee would be sitting to examine the scheme prepared by the special officer, the latter would be out of India and this would be a distinct disadvantage.

*Khan Sahib Maulavi Mahmud Ali* did not appreciate the views of the Assamese members in disapproving such a small expenditure as Rs. 7,500 for having a good special officer when they would have to spend lakhs for a university.

The *Hon'ble Maulavi Abdul Hamid*, Education Minister, protested that the Government was doing everything they could to expedite the matter, and that even now they were collecting material for preparing a scheme for the university in Assam.

*Rai Bahadur Brindaban Chandra Goswami* asked whether this task could not be given to another officer to be done with less cost.

*Mr Gopendra Lal Das Chowdhury* said that those who were clamouring for a university for Assam must be prepared to pay the necessary cost for it.

The out motion being put the vote was lost by 30 to 13

#### SALARY INCREASE IN BOILER DEPARTMENT

*Mr Kasimath Saikia* next objected to the whole demand for Rs. 5,107 under the Head "Boiler Department" to cover the extra increase of salary of the Chief Inspector of Boilers, the second Assistant Boiler Inspector, and the special scale of pay of Rs. 110 to Rs. 180 of the head clerk coming from Calcutta, although the scheme approved by the Council was Rs. 70 to Rs. 100. *Mr Saikia's* main argument was that *Mr Nickels* accepted the post of Chief Inspector of Boiler and came on the scale of Rs. 600 to Rs. 750 while he was in Bengal, and he saw no reason why the pay had been raised even before one working season. Regarding the second Assistant Boiler Inspector he saw no reason for this appointment unless the Government could show that the number of boilers in the province had considerably increased. He quoted from the speech of the late Leader of the House, now His Excellency Sir Abraham Lumsden to show that the number of boilers was gradually decreasing.

He added that people were taking to crude oil engines for convenience and also to avoid botheration of boiler examination, which means cleaning and stoppage of work. Furthermore, the wood fuel in garden estates was gradually dwindling. As regards the bringing of a head clerk from Bengal, he saw no justification when the work could be managed by a man from this province, as the head clerk need not be a technical man.

*Mr Rohini Kumar Chowdhury*, in support of *Mr Saikia*, suggested that there was no justification for giving a special salary to *Mr Nickels* when he agreed to come on the pay he was drawing. Bengal. He held that if this officer were not willing to work on the pay offered, the Government of Bengal might be asked to give another officer on the scale approved by the Council. He condemned also the bringing of a head clerk from outside the province.

*Mr W E D Cooper*, a representative of the Tea Planting Committee, said that the importation of a highly paid clerk from Bengal was an expensive luxury which this province could not afford. He wanted the expense of the boiler department to be kept within the bounds of its income.

*Mr H M Prichard* Chief Secretary, said that the Government had scrutinised very carefully the expenses involved in the boiler department and that the Government had to give a higher salary to the Chief Boiler Inspector, *Mr Nickels*, in view of the fact that he would have had better prospects if he had been in Bengal. Similarly, the head clerk had to be paid more as he would be in the superior grade had he been in Bengal. As regards the creation of a second Assistant Inspector, he said it was necessary in his opinion because the number of boilers had increased.

*Mr W L Scott*, Finance Member, justified the higher pay given to the Chief Boiler Inspector as he was an experienced hand. He assured the House that he hoped to carry on in future without extra cost. He was for an efficient boiler department.

#### REDUCTION OF LAND REVENUE

14th SEPTEMBER.—The Hon. *Mr W L Scott*, Finance Member, to-day, accepted on behalf of the Government of Assam a resolution moved by *Mr Rohini Kumar Chowdhury* recommending the grant of an adequate reduction of land revenue payable for the year 1935. In the course of the debate *Khan Bahadur Maulavi Nuruddin Ahmad* said that ryots were prevented from reaping the full benefit of prices owing to the heavy revenue and *Khan Bahadur Mumammad Mashraff* and other members emphasised the hard time ryots were experiencing owing to repeated floods.

The Finance Member said that in 1932 Government had given careful consideration to this matter and had ordered a reduction in land revenue to the extent of three

annas in the rupee. Regarding the present position of the ryots, reports had been received from the Commissioners of the Assam and Surma valleys and whether further reduction was necessary would be considered.

Mr *Rohim Kumar Choudhury* pressed for a reduction of at least 50 per cent in the Kamrup district where flood, famine and pestilence had reduced the ryots to destitution.

#### GRANTS-IN-AID TO SCHOOLS

On a resolution moved by Mr *Harendra Chandra Chakravarty* for a grant-in-aid of Rs 200 for the Raja Govinda Chandra Memorial High School at Barkhola, the House had the opportunity of listening to an important enunciation of principle on the distribution of grants-in-aid to schools.

The Hon. *Maulvi Abdul Hamed*, Minister of Education, while sympathizing with the demand made by Mr Chakravarty pointed out that it would not be proper to take up the case of an individual school here or a school there but the cases of all schools in the province should be considered together. The Minister also pointed out that on account of a cut motion passed by the Council the Government was precluded from making any re-appropriation even within the allotment sanctioned by the House for disbursements on education.

Mr *Gopendra Lal Das*, in opposing the resolution, did not think it proper to disturb the budgetary position at the tag end of the year. He did not like preferential treatment being accorded to any particular school.

The mover of the resolution pressed for consideration being shown to each school on its merit. He brought to the notice of the House that some schools were receiving grants while others were suffering for want of funds and urged revision of the whole system of giving new grants to schools.

#### HIGH COURT FOR ASSAM

The question of establishing a High Court in Assam was discussed at considerable length on two resolutions.

Mr *Kasmath Saktia*'s resolution, as amended by Khan Bahadur Keramat Ali, was carried by the House. It recommended to the Government of Assam to take the necessary steps for including in the proposals to be presented before the Subvention Committee a scheme for the establishment of a High Court in Assam.

The Hon. *Ras Bahadur Promode Chandra Datta*, Judicial Member, said that in accepting this resolution Government would not commit themselves to the question of establishment of a High Court in Assam for several reasons, one being that the financial condition of the province did not warrant the additional burden.

*Ras Bahadur Nilamber Datta* said that without a High Court and a University, provincial autonomy in Assam would be a farce.

Mr *Harendra Lal Das* felt that with the provincial deficit standing at more than Rs. 50,00,000 it was not proper to raise this issue at the moment.

Mr *Gopendra Lal Das* said it was incongruous to ask for a costly High Court while members were constantly pressing for remission or reduction of land revenue. Great hope, he said, had been laid on subvention but they could not expect more than Rs. 1,00,00,000 as subvention. A High Court would cost nothing under Rs. 2,50,000 a year.

*Ras Bahadur Brindaban Chandra Goswami* could not see any valid reason for a major province like Assam not pressing for a High Court. He was surprised to see members shedding crocodile tears over finances. Where were they, he asked, when Government asked for supplementary grants yesterday for several new projects costing lakhs and lakhs of rupees. In the new Constitution the Calcutta High Court would be under the Government of Bengal and it was proper that Assam should have her own High Court.

The Rev Mr *Nichols Roy* and Mr *W. F. D. Cooper*, leader of the Planting group, said that it seemed obvious that an autonomous Province should have a High Court but they must only indulge in the luxury when Assam could afford to pay for it.

The resolution was put to the vote and lost by 16 votes to 23.

#### BJURI RAI TENANTS' RENT REDUCTION

10th SEPTEMBER.—Mr *Bopen Chandra Ghose* moved to-day a resolution recommending the temporary reduction of the rent payable by the tenants of the Mechpers and Bujri Raj Wards estates by 20 per cent until normal conditions were

restored. He urged that the present economic distress and other calamities, such as floods and earthquakes, were responsible for the present plight of the tenants.

Mr Scott opposed the resolution on the grounds that the financial condition of both estates at the moment was poor and that in these estates there had been no enhancement of land revenue for many years. Also the Biju Raj Wards estate had to incur a loan to run its administration.

Maunvi Abdul Majid Ziaochams said that the condition of the tenants in Goalpara was worse than those in the other districts. The motion was put to the vote and lost.

#### RECRUITMENT OF SERVICES BY COMPETITION

A resolution was moved by *Khan Bahadur Maunvi Muhammad Mashraf* recommending that, following the line adopted by Bengal, all appointments in the gazetted ranks be made by competitive examinations, excepting those in the Education, Medical and Engineering departments.

Mr H M Prichard, Chief Secretary, gave a brief history of the present method of recruitment in Assam which, he said, was a combination of examination and selection. He informed the House that the matter would be examined by the Public Services Commission which would be appointed under the Reforms.

A discussion ensued, in the course of which some members expressed themselves in favour of competitive examination while others favoured the existing method. The resolution was carried.

#### ESTABLISHMENT OF LAND MORTGAGE BANKS

A resolution, brought by Mr *Kamath Sanku*, for the establishment of Land Mortgage Banks on a co-operative basis was opposed by the Hon Maunvi Abdul Hamid, Minister-in Charge, on the ground that even the existing banks in Jorhat and Gauhati were not working satisfactorily.

Mr *Sarat Kumar Das* of Cachar strongly supported the establishment of Land Mortgage Banks for the benefit of both zamindar and ryot. The resolution was ultimately rejected.

#### ASSAM MUNICIPAL AMEND BILL

The Council then passed the Assam Municipal (Amendment) Bill of 1934, brought by Mr *Rohm Kumar Choudhury*, and as amended by the Select Committee. It would come into force on January 1 next. The Bill sought to control amusements within the municipal areas in the province. The main provision was that no place within municipal limits shall be used for cinematographic performances, circuses or variety shows for the purpose of regular gain without the previous permission of the Board "and in accordance with such conditions and on such terms as the Board may see fit to impose."

#### OTHER NON OFFICIAL BILLS

The Council also passed the *Assam Mohammedan Marriages and Divorces Registration Bill, 1933*, brought by Maunvi Abdul Khalique Chowdhury.

#### ASSAM CRIMINAL LAW AMEND BILL

17th SEPTEMBER.—The Assam Criminal Law Amendment Bill, 1935 was passed in the Council to-day. The Hon. *Rai Bahadur Promode Chandra Datta*, Judicial Member, explained the necessity of the Bill.

Mr *Gopendra Lal Das*'s amendment, seeking circulation of the Bill in order to elicit public opinion before January 1 next, was lost as well as the amendment by Maunvi Abdul Khalique Chowdhury, seeking to reduce the term of imprisonment to one year from three years.

The main provisions of the Bill were stated to be as follows —

"After Section 30 of the Assam Criminal Law Amendment Act 1934 the following section shall be inserted—'31.—Whoever knowingly has in his possession any newspaper, book or other document (a) the importation of which has been prohibited under the Sea Customs Act, 1878, or (b) copies whereof have been declared to be forfeited to His Majesty under any Law for the time being in force shall be punishable with imprisonment which may extend to three years or with fine or with both."

"32.—whoever has in his possession any newspaper, book or other document which contains any words, signs or visible representations which (a) incite to or encourage, or tend to incite to or to encourage, the commission of any offence of murder, robbery, dacoity or criminal intimidation, or any offence punishable under the Indian Arms Act, 1878, the Explosive Substances Act, 1908, or under Sections 121, 121A, 122, 124,



325, 326, 332, 336, 390, 400, 402, 425, 436, 440 or 457, of the Indian Penal Code, or (b) directly express approval or admiration of any such offence in a manner likely to encourage the commission of the offence, shall—unless he proves that he had such newspaper, book or document in his possession (I) in circumstances indicating that he did not intend that it could be used for the purpose of disseminating any doctrine tending to further or encourage the terrorist movement, or (II) for the purposes of bona fide research or study not connected with the terrorist movement—be punishable with the imprisonment which may extend to three years, or with fine or with both.

#### PERMANENT CADRE FOR PUBLIC HEALTH DEPT

The Council then passed the motion moved by the *Hon. Rai Bahadur Kanak Lal Barua*, Minister for Local Self-Government, recommending the creation of a permanent cadre for the Public Health Department in Assam, consisting of six assistant surgeons, 82 sub-assistant surgeons, 90 disinfectant carriers, 74 peons and 10 clerks, in place of the present corresponding number of temporary posts, and for the permanent retention of the ten temporary sub-inspectors of vaccination. The scheme, which involved an estimated increase in the ultimate annual cost of Rs 47,000, irrespective of pensionary charges, would take effect from January 1 next.

#### OTHER BILLS PASSED

The Council also passed the *Assam Municipal Amendment Bill, 1935*, the *Assam Local Self Government Amendment Bill 1935*, and the *Bengal, Agra and Assam Civil Courts (Assam Amendment) Bill, 1935* in connexion with the last named Bill, *Rai Bahadur Nilambar Datta* objected to the giving of larger powers to munsiffs, as contemplated in the Bill, but his objection was overruled.

#### ASSAM DELIMITATION COMMITTEE'S REPORT

**13th SEPTEMBER**—The *Hon. Rai Bahadur Promode Chandra Datta*, Judicial Member, in introducing the Government's delimitation of constituencies proposals, assured the House that the debate would be forwarded to the Delimitation Committee for their consideration.

*Maulvi Abdul Khalique Chaudhury* moved an amendment, suggesting the formation of one plural-member constituency for the three Moslem seats allotted to the Upper House for the Sylhet district, less Karimganj.

*Khan Sahib Maulavi Mahamud Ali of Karimganj* and *Khan Bahadur Muhammad Masraff of North Sylhet* opposed the amendment, the latter suggesting that the three seats should be distributed as follows: to North Sylhet one, to Sonamganj plus the Nabiganj and Ajmiriganj thanas of the Habiganj subdivision one and to South Sylhet and the rest of Habiganj one. The amendment was not pressed for acceptance.

In moving an amendment, *Mr Sarkis* said that, contrary to the expectation of the people, both the Assam Franchise Committee and the Government had made separate electorates instead of joint electorates for the European and Indian planters as well as commerce men. He argued that it might be said that Indian planters were fewer than the European planters, and as such the two Indian planter members would be nominees of the Europeans, but this did not apply to the Commerce and Industry constituency where the Indian voters would outnumber the Europeans. The European member for the Commerce constituency would therefore, be the one whom Indians preferred in the event of two Europeans contesting the seat. The separate electorate principle, he said should not be extended to non communal constituencies like Planting, Commerce, Industry and Landlords.

The amendment was subsequently withdrawn.

*Khan Bahadur Keramat Ali's* amendment, claiming 13 seats for Assam Valley Moslems in the Assam Legislative Assembly was carried by 22 to 20 votes.

*Rai Bahadur Nilambar Datta* wanted an extra non-Mohammedan seat for Dibrugarh. *Khan Sahib Maulavi Mizahar Rahman* said that the Moslems should be given 14 seats in the Assam Valley.

*Maulvi Munawwar Ali* pressed for the restoration of the one general unreserved seat in Sonamganj which was to be taken away for Sader Sylhet. *Khan Bahadur Nuruddin Ahmed* and *Mr Rohini Kumar Chaudhury* supported this amendment.

*Mr Mullan*, Reforms Officer, in his maiden speech thanked the Assam Franchise Committee for the help they had given in preparing the Government proposals which, he said, were still proposals and would be examined carefully by the Delimitation Committee. This committee would be presided over by Sir Laurie Hammond, an ex Governor of Assam, who knew all about the province and who was an expert on election and franchise matters. The speaker

assured the House that the question of an additional Moslem seat for the Assam Valley and an additional seat for Sunamganj would be carefully examined. He further said that every single valid objection raised would be brought to the notice of the Delimitation Committee, which would visit Assam on October 25 next. These proposals, after they had been reported on by the Delimitation Committee, would be issued as Orders-in-Council, according to the Government of India Act.

#### H E THE GOVERNOR'S SPEECH

In proroguing the Council His Excellency the Governor, *Sir Abraham Lowes* narrated the changes which Assam had undergone before it attained its present position of a Governor's province, and the substantial strides that it had made. "In the matter of general internal development, despite the retarding effect of grievous local calamities, and in the field of constructive legislation as well, the province has no reason to be ashamed of its record. He was glad that he had been called upon, as Acting Governor, to give his assent to such an important measure as the Assam Tenancy Act of 1935.

Referring to the Assam Criminal Law Amendment Bill, 1935, which the Council had passed yesterday, *Sir Abraham* observed that some of the members had dubbed this measure as "a piece of repressive legislation." He pointed out that the development of nation-building departments postulated condition of collective peace and of individual security, both of life and property, throughout the borders of the province, and it was only when necessity arose that recourse to a measure of precaution like this would be had. His Excellency referred with appreciation to the assistance which level-headed public men of the province "had given to the anti-terrorist propaganda work started in many areas in Assam, thereby showing that Assam, at any rate, was determined to prevent the spread within its territories of the cankerous growth of terrorism and its less obvious but none the less insidious allies." He observed that if the province, with its present exiguous resources, could make substantial progress in all directions he did not see why, with the enlarged opportunities that the new Constitution would offer, it should not go forward and prosper.

His Excellency compared Assam with Belgium, the population of which, he said, was composed of heterogeneous elements like that of Assam, but which, without losing its individuality, had welded itself into a more or less organic whole in a common allegiance to their Crown. He had, he said, firm belief in Assam's bright future if only its people remained substantially united in desiring and doing their best to retain their provinces as a separate and effective unit in the proposed Federation. Assam had in the past been remarkably successful in absorbing and assimilating into a more or less co-harant whole within its spacious borders the numerous tribes and peoples which constitute its composite population. His Excellency saw no reason why the process of gradual assimilation and consolidation should not go on, and quoted the instances of the United Kingdom and the United States of America.

He had, he said, referred to this subject because in recent years he had noticed regrettable signs of flaccid tendencies creeping into Assam politics. Assam had hitherto been very much freer than most provinces from internal dissensions which arose out of communal divisions. He implored the people of Assam not to be led away by internal jealousies and recriminations, based on short-sighted considerations of a purely parochial character, and advised them to devote themselves to the promotion of the future well-being of the province as a whole without wasting their time and energies in setting up one Valley against the other, or one purely local or sectional interest against another.

Referring to the impending constitutional changes, His Excellency said that owing to the multiplicity of the issues involved the shortness of time and other circumstances beyond their control, it had not been possible for the Assam Government to consult the local legislature in respect of every matter on which their advice was sought. He assured the Council, however, that in tendering any advice or in making any recommendation the Government had been inspired by the desire to safeguard to the best of their ability the best and permanent interests of the province as a whole and its inhabitants. His Excellency in conclusion paid tribute to the work of Mr. Roffey, a wise counsellor and a staunch friend.

The House was then *prorogued* by order of the Governor

# B. & O. Legislative Council

Monsoon Session—Ranchi—26th. August to 6th Sept 1935

## INDIAN FOREST AMEND. BILL

The monsoon session of the Behar & Orissa Legislative Council commenced at Ranchi on the 26th. August 1935. After question hours the Indian Forest Amendment Bill introduced by the Hon'ble Mr. Embree was taken up. His motion was that this bill be referred to a select committee. In course of his short speech he said that the Forest Department, though now administered by the reserve side of the Government, in 18 months' time will pass into the hands of the Minister responsible to the legislature. He also referred to the increase in the number of forest cases of theft. The bill was to check theft in forests by forbidding entrance into them.

Pandit Godavaris Miara opposed the motion.

There being no other speaker besides the mover and Pandit Miara who opposed the motion, the debate did not take a long time and terminated in the appointment of a select committee consisting of seven non-official members and three officials.

## SUPPLEMENTARY DEMANDS

The next item on the agenda was the supplementary demands. There were altogether 31 demands involving expenditure of over Rs 15 lakhs. By a demand for grant which evoked considerable opposition Government asked for a supplementary grant to finance a new scheme of administration of justice according to which they were going to reduce the number of subordinate judges acting as District and Sessions Judges and to appoint I.C.S. men in their places on the ground that the former cannot efficiently discharge their duties. To this scheme the approval of the Secretary of State and the Government of India had been obtained.

Mr. Sankhidesande Sanka contended that by way of a resolution the approval of the council should have been taken first. He was followed by other speakers, namely, Mr. Hafiz, Rai Bahadur Dwarka Nath, Babu Harmadas Singh and Moulvi Gani, Mr. Young and Babu Bimala Charan Singh.

The Hon'ble Finance Member indicating the position of the Government said that they had to take the approval of the Secretary of State or the Government of India before finally deciding upon the measure to be taken. The Council then adjourned.

## RURAL DEVELOPMENT IN BEHAR

27th. AUGUST.—Two amendments were moved to the motion of the Finance Member regarding the scheme of expenditure of the Government of India grant of Rs. twelve and a half lakhs for rural development. One was by Rai Bahadur Shyammandar Sakay, who suggested the appointment of a committee of officials and non-officials to prepare a scheme of expenditure.

The other amendment was by Mr. S. K. P. Sanka, who emphasised that in addition to proposing to spend the money on communication and water supply, the Government should spend something to utilise cowdung as manure instead of as fuel. He said that if coal was used as fuel, cowdung could be saved to be used as manure, and one ton of cowdung saved would ultimately help to produce 54 tons of food materials.

The next speaker was Rai Bahadur Satish Sanka, after whom Pandit Gousaria Miara, in criticising the Government scheme, observed that while Government officers allowed silted tanks to be leased out for cultivation, and Government policy with regard to flood led to roads being washed away, it was surprising that the Government thought of spending this small amount, namely, 2 pice per head of the population, on the development of communication and water supply.

He incidentally referred to an order of a Sub-Divisional Officer calling upon Babu Jagannath Das, M.L.C., to assist him in preparing a scheme of rural uplift, saying that if he did not see him at the appointed time on an appointed date he would be held punishable for his absence.

**28th. AUGUST** —The debate on the Finance Member's motion regarding rural development was resumed to-day. He spoke for three quarters of an hour and touched the points raised by several members who had opposed the motion.

The amendment of *Rai Bahadur Shyamandan Sahay* being put to vote, was defeated by 39 to 48 votes. The amendment of *Mr S K P Sinha* was lost without a division.

#### BHAR & OHISSA CESS BILL

The *Hon'ble Mr Hubback* then introduced the B & O Cess Bill. Its reference to Select Committee was opposed by *Babu Mansendranath Mukherjee*, who moved that it be circulated. The motion for circulation was supported by *Mr Patterson*, member from Indian Mining Association.

The plea of the Government for the Bill was that the revenue of District Boards of Manbhum and Hazaribagh was gradually decreasing to about one-tenth of what it was ten years ago. Therefore special taxation on the coal mines was necessary.

The point raised by *Mr Mukherjee* was that at the present time of economic depression, coal mines were not able to pay extra taxation.

The *Hon'ble Mr Hubback*, however, accepted the motion for circulation.

#### Co-OPERATIVE SOCIETY AMEND BILL

The Co-operative Society Amendment Bill was then taken into consideration and passed.

#### MUNICIPAL AMEND BILL

The Municipal Amendment Bill, which empowers the Government to dissolve a Municipality in the event of deterioration in municipal administration due to intrigues and factions was under discussion when the House adjourned.

#### NON OFFICIAL RESOLUTIONS

**29th. AUGUST** —The Council passed a resolution to-day—*Mr W H Mayrick* (Planters) asking the local Government to move the Government of India to sanction the contribution of a branch Railway line of Bengal North Western Railway to be known as *Chakia Trans Gandak-Sidhwa Chord line Project*, which was estimated to cost Rs 46 and half lakhs including the bridge across the Gandak and which would cover most of the fertile paddy area of India and network of sugar factories.

**30th AUGUST** —Two non-official resolutions for carrying out irrigation survey of the province and giving vocational bias to education imparted in secondary schools were withdrawn after discussion in the Council to-day. The Government announced that they contemplated, undertaking legislation for minor irrigation works in the province in near future.

**2nd SEPTEMBER** —At to-day's sitting of the Council, replying to a question of *Babu Jamuna Karjee* as to whether (a) a confidential enquiry had been made or was proposed to be made by the local Government to ascertain the nature and the extent of the village Industries Association's working in Bihar, the manner of its operation and its effect on the masses and what was the reason for their surveying the programme of the activities of the said association in Bihar and whether (b) there was any proposal before Government to co-operate with the All-India Village Industries Association in the matter of the uplift of the masses, *Mr R E Russell* said that an enquiry had been made because they wished to keep themselves informed of the nature and development of the Association's activities, and (b) that the Association had not asked for the assistance of Government.

*Babu Jamuna Karjee* moved a resolution asking Government to appoint under section 112(3) of the Behar Tenancy Act a Special Officer to enquire into the conditions in Behar proper with a view to reducing rents, where necessary.

The resolution was defeated by 51 to 12 votes. The landlords and also some tenants' representatives opposed the proposal on the ground that it would not be conducive to the interests of tenants. The Government also opposed the resolution, pointing out the serious legal and practical difficulties in the way of its acceptance.

#### NON-OFFICIAL BILL

**3rd. SEPTEMBER** —In the Council to-day a number of non-official Bills were circulated for eliciting public opinion.

The *Mussalman Wakf Bill* of Mr. *Haasan Jaw* for the control of Mussalman charitable religious endowments in the province was not taken up as the member did not move for its consideration. The Council then transacted official business, all Government supplementary demands being voted and the *Bihar and Orissa Municipal Amendment Bill* (an official measure) being circulated for opinion.

#### BHAR DELIMITATION PROPOSALS

**4th. SEPTEMBER**—The Council discussed to day the Government's Delimitation proposals for the new provincial legislatures.

Mr. *Hubbuck*, on behalf of the Government, inviting discussion on the subject, stated that there was no finality about the proposals, as they were yet to be examined. The Delimitation Committee would shortly be visiting India. As regards cumulative and distributive vote systems, the speaker said that the Government supported the single non-transferable vote systems which had many advantages.

Several non-official members spoke generally urging territorial claims for larger number of seats and criticising the Government proposal for single vote system and plural member constituency. The debate had not concluded when the Council adjourned.

**5th. SEPTEMBER**—An interesting issue was raised to-day over single versus plural vote system stating that it gave a better chance to an important minority to express its views reflecting the public opinion truly, while the plural system supporters urged that the system was more sound and productive of communal harmony.

**6th. SEPTEMBER**—*Rai Bahadur Shyamandan Sahay's* amendment providing for constituencies having the right of electing more than a member each voter must have as many votes as the number of members to be elected provided only one vote be cast for one member was carried.

The Council was then *prorogued*.

## The Burma Legislative Council

August Session—Rangoon—6th to 14th. August 1935

#### NO CONFIDENCE MOTIONS

The Burma Legislative Council, which commenced its session at Rangoon on the 6th August 1935, refused to grant leave to *U Ba Shwe* to move his motion of no-confidence in *U Ba Pe*, Forest Minister. Only 28 members stood up, 34 being the required number.

*U Ba Shwe's* second motion of no confidence in the Education Minister also fell through, the House refusing to grant leave. Only nine stood up in favour of the motion.

Earlier, the House unanimously recorded its deep sense of loss at the death of Mr. N. N. Parakh, the doyen of the Council, on a condolence motion moved by the Finance Member.

#### DEMOLITION OF HINDU TEMPLE

Mr. *Ganga Singh's* adjournment motion to criticise the Government's action in demolishing a Hindu Kahi temple on Vesle Road and thereby wounding the feelings of the Hindu community lapsed owing to want of quorum after the House had discussed it for an hour.

Earlier, the Finance Member pointed out that the motion was not in order but the President overruling the former's objection fixed 4 o'clock for discussion.

#### INDO-BURMA TRIBUNAL REPORT

**13th & 14th. AUGUST**—The two-days' debate on the report of the Indo-Burma Financial Tribunal which began on the 13th, concluded on the 14th, the House carrying seven resolutions and rejecting one.

The *Finance Member*, at the outset, announced on the 13th. that the Government would not vote on the motion put before the House nor would they speak, except to correct any misapprehension in the course of the debate, the proceedings of which would be communicated to the Secretary of State for India for information.

Seven resolutions were moved of which U Maung Gyi (Dr Ba Maw's Party) moved three, one of which recommended fixing 5 per cent ratio for Burma's contribution in respect of liabilities to India, instead of seven and a half per cent. Another suggested 90 years for repayment instead of 45 years and the third resolution urged that all financial liabilities found due by Burma to India on financial settlement between the Governments of India and Burma should be met by the Government of Great Britain as a token of goodwill.

U Maung Gyi (people's party) moving a fourth resolution demanded that besides the 5 per cent ratio due deductions should be made in favour of Burma for the disadvantages resulting from her past association with India.

U Songum (People's Party) proposed that the application (?) Committee should consist of five members, including two non officials, one from Burma and the other from India.

U Kya Gaa (People's Party) wanted that Burma should not be considered as owing India anything on account of Burma Railways.

U Saw (People's Party), moving the last resolution, recommended that Burma should not be held responsible for any public debts contracted before Burma became part of India or for cost of the Burmese war or for cost of any wars outside India.

A large number of members of all parties supported the resolutions.

When the debate was resumed on the 14th shortly after twelve o'clock, all members of Dr Ba Maw's Party, led by U Thu, Whip of the Party, walked out protesting against the action of the Leader of the House for not giving his consent to U Maung Gyi (Dr Ba Maw's Party) to move his motion, rejecting the Tribunal's report in toto.

U Maung Maung Gyi (Dr Ba Maw's party), while walking out, said that he withdrew his three motions moved on the 13th, as they were done without the consent of the Party, but he did not ask permission of the President for withdrawal before leaving the Chamber.

On the 13th the President disallowed the motion for rejection of the Tribunal Report on a point of order raised by the Leader of the House that when the mover was called to make his motion, he was not in his seat. Therefore, at a later stage, he was debarred from moving it.

U Ba Than (People's Party) moved another resolution fixing the period for repayment at 60 years, the first instalment being payable five years after separation.

All Burmese Parties condemned the report as not being fair to Burma in its recommendations, while Mr J Tait said that the European commercial community recognised the award and accepted it as the best possible solution of a problem that bristled with difficulties.

Among the resolutions passed, five by U Ba Than, Min Oh, U So Nyun, U Kya Gang and U Saw were carried without a division.

U Maung Maung Gyi's resolution demanding ninety years for the repayment of liabilities was lost without a division, while another resolution of his fixing five per cent ratio was carried without a dissentient. His third resolution recommending that the Government of Britain should bear all of Burma's financial liabilities to India was carried by 20 votes to 9, the European bloc voting against.

Indians, excepting Mr Ganga Singh, did not participate either in the debate or in the voting.

Earlier, when the President asked for the sense of the House about U Maung Maung Gyi's three resolutions, it refused to grant leave for withdrawal. Consequently they were put to vote. The Council was then prorogued.

# The N. W. Frontier Legislative Council

## PROTEST AGAINST ELIMINATION OF GURMUKHI & HINDI

The N W Frontier Legislative Council opened its session at Peshwar on the 4th. November 1935 All members of the minority party were absent. The President read out a lengthy communication explaining the reasons of their absence which stated —

"As we all Hindu and Sikh elected members of the Legislative Council have decided to absent ourselves from the present session of the House we consider it our duty to explain the circumstances that have led to our this decision.

"The recent circular of the Government Transferred Department about eliminating Hindi and Gurmukhi from media of instruction in schools in the province has caused consternation amongst the Hindus and the Sikhs throughout the province. We have been delayed with anxious enquiries and the feeling on the subject of our communities is so strong that we, who represent them in the Legislative Council cannot in common fairness or according to the parliamentary practice ignore it. We feel that this circular constitutes a grave menace and direct challenge to our religion and culture. The novel principle, which the circular seeks to introduce into our educational system, exists in no other province in India. The arguments advanced for a violent change in the policy stated in the memorandum conveying the instructions of the Government to the Director of Public Instruction and the inspectors of girls' schools are in our opinion, most untenable and unconvincing. The only effective constitutional method open to us, under the present circumstances of recording our protest and conveying our strong feeling on the subject, is to absent ourselves from this session. We realise the utter helplessness of our position but it is permissible to hope that our action may lead to a searching of the heart on the part of all-right thinking persons as to the examination of the question. Lost interested parties may misinterpret our action we would like to make clear that we have the greatest respect for the chair and our abstention implies no discourtesy to it or the House. We have always co-operated with the Government and the majority for the betterment and development of this province, where we have all that is dear to us and would always do so should our co-operation be really appreciated. But we have been injured on the most vital point viz our religion and culture which is dearer to us than anything else and which the Government are solemnly pledged to protect. It will constitute an intellectual oppression of the worst kind to enforce us to transcribe our scriptures into Urdu for the benefit of our womenfolk whose education is sought to be directed by us on the present lines which ensure both a study of their religious books and an enlightenment of their mind with knowledge of things in general. We do not at all aim to train our girls for professional careers and we attach a great importance to the thorough study of our religious books which are in Hindi and Gurmukhi. The Government circular ignores all this. We shall thank you to please read this explanation to the House."

This evoked a discussion, the Minister, *Sir Abdul Qayum*, asking if this 'boycott' was a constitutional method of representation but the president deferred consideration of the constitutional aspect.

The Home Member, *Sir George Cunningham* next introduced the *Punjab Land Revenue Frontier Province Amendment Bill* and *Motor Vehicles Taxation Bill* which the Council agreed to take into consideration on or after Nov 13. The non-official motion to circulate the Motor Taxation Bill for public opinion was defeated by 15 to 11 votes.

*Sir Abdul Qayum*, Minister, introduced the *Hazara Forest Bill* which will be circulated for public opinion by Feb 15 on non-official motion.

**5th. NOVEMBER** —The Council passed two non-official Bills—the *Village Councils and Muslim Personal Law Shariat Application Bills* and circulated for public opinion the *Anti-prostitution Bill* and *Petty Zamindars' Relief Bill* introduced by Nawabzada Alihanawaz.

A non-official amendment depriving proposed Village Councils of judicial functions was defeated by 17 against 11 votes. Bills passed to-day had been before the Council for the past two years and aroused acute controversies.

During interpellations, the Home Member said that the local Government was corresponding with the Government of India on the subject of subversion, but did not disclose the nature of the correspondence.

**Proceedings of**  
**The Indian National Congress**  
**The National Liberal Federation**  
**and**  
**Provincial Political, Annual Conferences**

**July—December 1935**





# The Indian National Congress

## PROCEEDINGS OF THE WORKING COMMITTEE

Wardha—29th July to 1st August 1935

The Working Committee met at Wardha from July 29 to August 1, 1935. Baba Rajendra Prasad presided. The following members were present —

Sri Vallabhbhai Patel, Smt. Sarojini Naidu, Sri Jammalal Bajaj, Sri Pattabhi Sitaramayya, Sri Gangadhar Rao Deshpande, Sri K. F. Nariman, Sri Purabottamdas Tandon, Sri Sardul Singh Caveeshar, Sri Surendra Mohan Moitra, Sri Syed Mahmud, Sri Jairamdas Daulatram, Sri J. B. Kripalani

Sri Bhulabhai J. Desai, Sri Govind Ballabh Pant, Sri S. Satyamurti and Sri Shankar Rao Deo attended the meeting by invitation.

The minutes of the last meeting held at Jubbulpore on April 23, 24 and 25, 1935 were confirmed.

### I—Confirmation of Office Secretary

The Committee confirmed the appointment of Syt. Krishna Das as Office Secretary of the A. I. C. C.

### II—Bank account of A. I. C. C.

Resolved that the account of A. I. C. C. at Allahabad be opened with the Punjab National Bank in the name of the Indian National Congress and that this account be operated upon by the President Baba Rajendara Prasad and the working General Secretary, Acharya J. B. Kripalani, jointly and severally.

### III—Statements of Accounts

The Statement of office accounts from April, 1935 to June, 1935 was placed before the meeting and passed.

### IV—Accounts of 1932—34

The Committee also passed the audited accounts of the A. I. C. C. from 1st January, 1932 to 31 March, 1934.

A statement of accounts by the Secretary of the Swaraj Bhawan Board of Management from September 1934 to July 1935 was placed before the committee.

### V—Claim of the Gujarat P. C. C.

The Committee passed the following resolution —

Having considered the circumstances and the correspondence with different parties and conversations between the President and the parties concerned,—resolved that Rs. 6,000 advanced by the Gujarat P. C. C. as loan to the A. I. C. C. be repaid.

### VI—Dues from Tamil Nad P. C. C.

Having considered the correspondence regarding dues from Tamil Nad P. C. C. amounting to Rs. 3,325-4-10, resolved that in view of the fact that the Tamil Nad P. C. C. may feel handicapped, if called upon to pay the entire amount in one lump sum, the Working Committee will be prepared to consider payment in annual instalments of Rs. 500, the first instalment to be paid latest in the December, 1935.

### VII—Provincial Subscriptions

Considered the telegrams received from Bombay, Utkal, and other P. C. Cs regarding extension of date for payment of provincial subscriptions,—

Resolved that the date be extended to 15th August, 1935 and the Committees in default be asked to make payment by that date failing which they will be liable to be disqualified from representation in the next meeting of the A. I. C. C. in accordance with the resolution passed at the Jubbulpore meeting of the Working Committee.

### VIII—Detenu's Families Relief Fund

Resolved that Syt. Surendra Mohan Moitra be authorised to make enquiries and recommendations in consultation with any other person or persons he considers neces-

sary regarding aid to be given to families of detenus in Bengal. The Secretary of the A. I. C. C. is authorised to make payments in accordance with such recommendations from the fund collected for the purpose.

#### IK—Change of Headquarters

Read the appointment of the Berar P. C. C. for the change of its headquarters from Amraoti to Akola,—

Resolved that the proposed change be sanctioned.

#### X—Central Calcutta Congress Committee Dispute

Considered the representation of the Bengal P. C. C. regarding Central Calcutta Congress Committee,—

Resolved that in view of the fact that Syt M. S. Aney was given comprehensive powers by the Working Committee at its sitting held on July 28 and 29, 1934 to take whatever action was necessary for setting up without delay the Congress organisation in Bengal, and further in view of the fact that the Central Calcutta Congress Committee set up under his decision has been functioning since September, 1934, the Working Committee sees no reason to disturb the existing arrangements.

The Working Committee further resolves that the action taken by the Re-organisation Sub-Committee of the Bengal P. C. C. calling upon the Central Calcutta Congress Committee to deposit all application form, the receipts and membership fees is set aside and the Committee set up under Syt. Aney's award shall continue to function till a fresh election takes place under the constitution.

The Working Committee regrets to note that the Reorganisation Sub-Committee should have taken upon itself the responsibility of practically setting aside the decision of Syt. Aney and taking *ad interim* action.

#### XI—Later Proceedings

The Working Committee heard Syt. Narendra Nath Sen on Central Calcutta Congress Committee dispute at great length but saw no reason to revise its previous decision on the subject.

#### XII—Enrolment of Members in Bengal

With regard to the complaint of Shri S. N. Roy regarding enrolment of members in Bengal, the Committee records the agreement arrived at between Shri S. N. Roy and Syt. Surendra Mohan Mitra on behalf of the B. P. C. C. that the quota of membership fees should be remitted to the districts concerned along with the list of members within a fortnight.

#### XIII—Constitution of Mahakoshal P. C. C.

Read Syt. K. F. Nariman's report about the validity of the meeting of the Mahakoshal P. C. C. for the adoption of the Provincial constitution. This Committee agrees with his finding that the meeting in which the constitution was passed was not a valid meeting and calls upon the President of the Mahakoshal Congress Committee to convene a regular meeting for considering and adopting the provincial constitution and submit the same to the Working Committee after it has been duly passed by the P. C. C.

#### XIV—Jubbulpore Town Congress Committee Dispute

Considered the report of Syt. K. F. Nariman on the Jubbulpore T. C. C. dispute. Agreeing with the findings of Syt. K. F. Nariman, resolved that the objections to the election of the Jubbulpore Town Congress Committee are invalid, and therefore the election stands, and the present Committee shall continue to function.

#### XV—Khandwa District Congress Committee Dispute

Considered the report of Syt. K. F. Nariman on the Khandwa District Congress Committee election dispute,—

Resolved that agreeing with his findings the election of the Khandwa D. C. C. is upheld and the existing D. C. C. of Khandwa shall continue to function.

#### XVI—Guntur Congress Committee Dispute

Read the report of Dr. Pattabhi Sitarumayya together with the terms of settlement signed by Syt. Konda Venkatapayya and Syt. N. V. L. Narasimha Rao and a letter from Syt. S. Shivaswamy withdrawing the complaint,—

Resolved that these be recorded.

### XVII—Congress Organisation in Madras City

Heard the representatives of Tamil Nad and Andhra P. C. Os. on the controversy over Congress organisation in Madras city,—

Resolved that the question be referred to the Committees concerned to enable them to arrive at an amicable settlement.

### XVIII—Berar P. C. C.

Considered the resolution of the Berar Provincial Congress Conference forwarded by the Berar P. C. C. recommending the formation of a Joint Committee of the three Provincial Congress Committees of Berar, Nagpur and Mahakoshal for the purpose of running council elections,—

Resolved that the same be sent to the Congress Parliamentary Board for consideration.

### XIX—Peasant's Sub-Committee

Resolved that a sub-committee consisting of Svt. Rajendra Prasad, Sardar Vallabhbhai Patel and Svt. Purshottamdas Tandon with Svt. Purshottamdas Tandon as convener be appointed to keep in touch with the problems affecting the peasantry of the country and from time to time to report to and advise the Working Committee thereon.

### XX—Labour Sub-Committee\*

Resolved that a sub-committee consisting of Svt. Jaramdas Daulatram, Svt. K. F. Nariman and Svt. Shankerlal Banker be appointed with Svt. Jaramdas Daulatram as convener to keep in touch with problems affecting industrial labour and from time to time to report to and advise the Working Committee thereon.

### XXI—Quetta Earthquake

The Working Committee records its sense of deep sorrow at the loss sustained in men and money by thousands of people during the recent earthquake in Quetta and other parts of Baluchistan and tenders its condolences and sympathy to the bereaved and the sufferers.

The Working Committee endorses the action taken by the President in forming a Central Relief Committee for collecting funds and administering relief. The Committee thanks all those who rendered valuable and through personal care to thousands of the injured and distressed under very difficult circumstances and acknowledges the response of the public to appeals for funds.

The Working Committee while recognizing the efforts made by the authorities at Quetta to meet the situation with the resources at their disposal is of opinion based on the published statements of eye-witnesses official and non-official that many persons under the debris could have been rescued if the digging operations had been undertaken on an adequate scale and not stopped after two days and if the offered help from the public had not been rejected.

The Working Committee is of opinion that the Government should appoint a commission composed of officials and non-officials to enquire into the allegation made by the public and, in some respects, supported by published statements of officials viz,

- 1 that the statement made on behalf of the government when assistance was offered, that they had ample resources to deal with the situation in Quetta does not appear to be borne out by facts,
- 2 that they unjustifiably turned away such proffered assistance,
- 3 that they ought to have recruited available assistance from neighbouring areas to cope properly with the emergency,
- 4 that whilst every European resident of the affected area was accounted for no adequate attempt was made in respect of the Indian residents and there was similar discrimination between Indians and Europeans in the matter of rescue, relief and salvage.

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\* Note —Shri Shankerlal G. Banker having intimated his inability to be a member of the Committee due to his pre-occupations, Acharya J. B. Kripalani was appointed by the President to act in his place. The Labour Sub-Committee at its meeting held in Bombay on August 6, 1935 appointed Shri J. B. Kripalani as its convener.]

## XXII—Congress Jubilee

Resolved that the fifteenth anniversary of the Congress be observed in a fitting manner on the day the Congress met for the first time in 1885 and for this purpose the Working Committee appoints the following persons to constitute a sub-committee for drawing up the programme for the occasion—

Syt. Rajendra Prasad, Dr. B. Pattabhi Sitaramayya, Seth Jammalal Bajaj, Syt. Govind Ballabh Pant, Syt. Jaramdas Daulatram, and Acharya J. B. Kripalani

## XXIII—History of the Congress

The Committee thanks Dr. Pattabhi Sitaramayya for the offer of the *manuscripts* of the History of the Congress written by him and requests the President to go through it and authorises him to finally decide about its publication as a memorial volume of the fiftieth anniversary of the Congress.

## XXIV—Offices under the New Constitution

Having read the resolution of several Congress Committees relating to the acceptance or non-acceptance of office under the new constitution, this Committee is of opinion that any decision on the question would be premature at this stage and should be left over for the next session of the Congress. It declares that any expression of opinion on the question by individual Congressmen does not represent the view of the Congress.

## XXV—Indian States

Although the policy of the Congress regarding the States in India has been defined in its resolutions, a persistent effort is being made by or on behalf of the people of the States to get a fuller declaration of the Congress policy. The Working Committee therefore issues the following statement concerning the policy of the Congress with regard to the Princes and the people of the States.

The Indian National Congress recognises that the people in the Indian States have an inherent right to Swaraj, no less than the people of British India. It has accordingly declared itself in favour of establishment of representative responsible government in the States and has in that behalf not only appealed to the Princes to establish such responsible government in their States and to guarantee fundamental rights of citizenship, like freedom of person, speech, association and the Press to their people but has also pledged to the States people its sympathy and support in their legitimate and peaceful struggle for the attainment of full responsible government. By that declaration and by that pledge the Congress stands. The Congress feels that even in their own interests the Princes will be well advised to establish at the earliest possible moment full responsible government within their States carrying a guarantee of full rights of citizenship to their people.

It should be understood however that the responsibility and the burden of carrying on that struggle within the States must necessarily fall on the States people themselves. The Congress can exercise moral and friendly influence upon the States and this it is bound to do wherever possible. The Congress has no other power under existing circumstances although the people of India whether under the British, the Princes or any other power are geographically and historically one and indivisible. In the heat of controversy the limitation of the Congress is often forgotten. Indeed any other policy will defeat the common purpose.

With regard to the impending constitutional change it has been suggested that the Congress should insist upon certain amendments of that portion of the government of India Bill which deals with the relation of the Indian States to the Indian Federation. The Congress has more than once categorically rejected the entire scheme of constitutional reforms on the broad grounds of its not being an expression of the will of the people of India and has insisted on a constitution to be framed by a Constituent Assembly. It may not now ask for an amendment of the scheme in any particular part. To do so would amount to a reversal to the Congress policy.

At the same time it is hardly necessary to assure the people of the States that the Congress will never be guilty of sacrificing their interests in order to buy the support of the Princes. From its inception the Congress has stood unequivocally for the rights of the masses of India as against any vested rights in conflict with their true interests.

### XXVI—Provident Fund Rules for A. I. C. C. Staff

With a view to having a provident fund for the employees in the office of the All India Congress Committee, the Working Committee adopts the following rules —

1 Every full time employee shall contribute one anna in the rupee of his salary to a provident fund of which an account will be opened in some bank. The deduction of this amount shall be made at the time the monthly salary bill is prepared.

2 The A. I. C. C. shall make contribution to the deposit account of each employed month by month at the rate of one anna in the rupee on the salary.

3 Persons employed temporarily shall not come under the operation of this scheme.

Each employee shall state in writing to whom he desires that the amount be paid in case of his death.

The deposits and contributions with interest thereon at the credit of any employee may be withdrawn on his ceasing to be an employee of the A. I. C. C. subject to provisions in rules 9, 10, 11 and 12 hereunder.

4 A temporary advance, not ordinarily exceeding three months' pay, may be allowed to an employee from the sum at his credit at the discretion of the Working General Secretary, provided the sum so proposed to be advanced shall be equal to or less than half the amount paid by the employee so far towards his share of the Fund the rate of interest being 5 per cent.

The following may be considered as examples of legitimate occasions for such advances —

- (a) illness of employee or any member of his family,
- (b) marriages and funerals,
- (c) any special educational requirement of employee's children.

7 Advances will be recovered at the discretion of the General Secretary in instalments by monthly deductions from the salary.

8 In the event of an employee owing a sum of money to the A. I. C. C. the General Secretary will have the right to deduct this sum of money from the provident fund of the employee.

9 An employee leaving before the completion of his five years of service shall be entitled only to his share of contribution to the provident fund and interest thereon.

10 If the services of an employee are terminated for no fault of his, he shall be entitled to the whole amount of his provident fund, and the clause relating to fund with interest thereon.

12 In case of dismissal owing to dishonesty or fraud, he shall not be entitled to receive any portion of the provident fund.

13 The clause relating to five years service shall not apply in the case of employees who may have completed their five years of service in the A. I. C. C. before the date of operation of the present scheme.

14 The decision of the Working Committee of the Congress regarding negligence, inefficiency, dishonesty or fraud involving dismissal and in all matters of doubt and difference arising out of these rules shall be final.

15 The Working Committee shall have power to alter, vary or amend the rules relating to the Provident Fund in their absolute discretion.

### XXVII—Leave Rules for A. I. C. C. Staff

1 Every member of the staff will get one month's privilege leave with full pay for every completed eleven months of service.

2 If a member does not avail of this leave the same can accumulate for two years. All such leave beyond two months will lapse.

3. Members of the staff will also get 10 days casual leave, which may not be combined with the privilege or sick leave.

4. Holidays falling at either end of the leave period will not be included in the leave but when they fall in the middle of the leave, they will be so included.

5. Members will also get fifteen days' sick leave on half-pay in the year.

6. If the privilege leave is availed of for reasons of health, the fifteen days of sick leave on half-pay may be combined with it.

7 Any leave beyond this shall be without allowance unless under special circumstances to be decided upon in each individual case by the Working Committee on the recommendation of the General Secretary.

8 The leave mentioned in these rules will not include Sundays or other general holidays except when they fall within the period of a leave. A list of general holidays will be made by the General Secretary at the beginning of every year and will be hung up in the office for the information of the staff.

9 Members can only avail themselves of leave subject to the requirements of the office, and will not be entitled to demand it as of right.

10 All leave mentioned here shall be unless otherwise provided for granted by the Working General Secretary.

#### XXVIII—Purse Collections in Maharashtra

In view of the work in Maharashtra the President consented to forego half the quota of 25 per cent due to the A. L. C. office out of the President's Purse collection made in Maharashtra.

## Labour Sub-Committee

### Unity in Labour Ranks

An important step in the direction of unity in labour ranks has been taken at a joint conference of representatives of the All India Trade Union Congress and National Trade Union Federation held recently at Bombay by the formation of an All-India Labour Board consisting of equal number of representative Labour organisations. Mr V. V. Giri has been appointed President and Mr R. S. Bunker, General Secretary of the new Board. It will be the task of the Board to continue in the efforts for unity and to carry on day to day work for the amelioration of condition of the working classes.

The joint conference of the two Labour organisations passed resolutions declaring the present Government of India Act as more retrograde and reactionary than the J. P. C. Report and as being conceived in a spirit of distrust of the Indian people. The representation given to labour, according to the conference, was utterly inadequate, and in as much as the Act held out no prospect to the Indian masses and working classes of securing an adequate and effective voice and control in the legislatures and the administration of the country, it was unacceptable.

The conference viewed with alarm the deplorable plight to which the industrial workers of India had been reduced by methods of rationalisation and policies of wage cut and retrenchment adopted by employers. The conference therefore recommended to the Joint Labour Board to take steps to increase the organised strength of workers and check the employers' tendencies to effect wage-cuts.

It was of opinion that the question of protection to industries should be reopened and a detailed inquiry into the results of protection so far given to various industries should be held in order to find out *inter alia* whether the grant of protection had improved the workers' standard of life or created more employment. The enquiry should also consider whether the continuance of protection should not be made dependent on those industries adopting a satisfactory standard of wages and other working conditions.

It was also of opinion that a minimum wage fixing legislation be introduced particularly for sheltered industries and those other industries where workers' organisation do not exist or are too weak to resist employers' attacks on their standard of life. The conference condemned the present repressive policy of Government particularly the use of emergency powers and such other legislation against labour organisations and workers. The conference recommended the Joint Labour Board to take effective steps to protect those who fall victims to such repression.

The conference viewed with alarm the growing unemployment and urged that immediate steps be taken to increase employment by the adoption of suitable schemes and urged the Government of India to introduce unemployment insurance and health insurance schemes and to introduce 40 hours week in all industries.

The conference condemned the attitude of the British Labour Party towards the employment of Indian seamen in British-owned steamers.

## Congress and Labour Organisations

### President's Communication

Camp Wardha

August 1, 1935

Dear Mr Ruikar,

I placed the memorandum you gave me before the Working Committee for its consideration and I may state shortly the result of the discussion.

You will recollect that the A I C C recorded the resolution of protest at Jabalpur against the repressive policy of the Government against Congress and labour organisations.

It is felt that it is unnecessary to observe a day of protest. The Congress has not done so in respect of the ban which still persists against many of its own organisations. Now that a number of Congressmen are in the Assembly it would be best if you could collect all relevant information and place it at the disposal of the Congress Parliamentary Party in the Assembly, and I have no doubt they will make such use of it as is possible in raising a protest there. This is what has been done regarding the Congress organisations under the ban.

On the question of the rejection of the new constitution the Congress has already passed a resolution and will take steps for implementing it when the time comes. As regards programme against war the matter may be considered when occasion arises and the Congress Committee determines its own line of action.

On the Legislative programme for the amelioration of the conditions of labour, I have no doubt the Congress Party in the Assembly will always be prepared to consider and give its support to all legislation not inconsistent with the Congress view point.

You told me that the Congress Party in the Assembly did not support Mr Joshi's resolution regarding unemployment insurance in the Assembly. I have made enquiries and I understand that there was no resolution by Mr Joshi but that there was an amendment by him to a resolution by the Government, and that the Congress Party supported Mr Joshi's amendment which was carried by the casting vote of the President but that the amended resolution was lost by a snatch vote of 52 against 53, and in this voting the Congress Party voted with Mr Joshi. It has also been conveyed to me that in all matters relating to labour the Congress Party has consistently supported the labour side.

I may state, however, that the Congress being a national organisation and not a class organisation, it is not inconceivable that occasions may arise when Congress view may not tally with Trade Union view and in all such cases the Congress will of course take its own line of action.

The Working Committee has appointed a sub-committee of Messrs Jairamdas Daulatram, K F Nariman and Shankerlal Banker with Mr Jairamdas Daulatram as convener to keep in touch with problems affecting industrial labour and from time to time to report and advise the Working Committee thereon.

The Working Committee, I need hardly assure you, will always welcome co-operation from Trade Unions in all matters where joint action may be found possible.

Yours sincerely,

RAJENDRA PRASAD

Sgt. R S Ruikar M. A. LL. B.,

President,

All India Trade Union Congress,

Walker Road, NAGPUR CITY

## PRIMARY CONGRESS MEMBERS

(Enrolled Till June 13, 1935)

According to the time table of the Working Committee, 13th June was the last date of enrolment of Congress members entitled to participate in the elections of delegates of the Congress to be held on the 14th of December, 1935. The following



figures of total enrolment have been taken from reports received from Provincial Congress Committees. These figures must not be taken as final

Province	Quota of maximum members	Members
1 Ajmer	22,000	282
2 Andhra	72,000	45,703
3 Assam	12,500	2,907
4 Bihar	92,500	74,271
5 Bengal & Surma Valley	1,62,000	60,775
6 Berar	10,000	7,066
7 Bombay City	10,500	17,317
8 Burma	44,000	700
9 Nagpur	8,500	8,164
10 Delhi	11,000	10,000
11 Gujarat	31,000	24,065
12 Karnatak	52,000	22,000
13 Kerala	26,500	
14. Mohakoshal	41,500	35,156
15 Maharashtra	49,000	31,179
16. N W F R.	10,500	
17 Punjab	65,500	13,195
18. Sind	11,000	4,033
19 Tamil Nadu	70,500	58,694
20 United Provinces	1,50,000	56,623
21 Utikal	47,500	6,715
	<hr/> 10,00,000	<hr/> 4,78,445

## A CONGRESS DIARY

( June—August, 1935 )

### Some New Chittagong Orders

The District Magistrate of Chittagong has promulgated following orders under the Bengal Suppression of Terrorist Outrages Rules —

"All holders of identity cards issued under the Rules shall not leave the district of Chittagong for any destination in Burma without the written permission of the District Magistrate

"All Hindu youths between the ages of 15 and 25, entering Chittagong district from Burma, shall report their arrival as follows —

"In the case of youths arriving by sea at the Chittagong Port to the Superintendent of Police in person at his office within 12 hours of landing from any vessel.

"In the case of youths arriving overland via Cox's Bazar, the Sub Inspector of Police, Cox's Bazar, in person within 24 hours of entering the Cox's Bazar sub-division

"In the case of youths proceeding from Burma to Chittagong district via Calcutta the Superintendent of Police in writing within 24 hours of entering the district and in person within 12 hours of entering Chittagong town"

Only Hindu boys and youngmen aged between 12 and 25 years are obliged to keep identity cards.

### Hindi Leaflets Prescribed

The Government of Bihar and Orissa have proscribed under section 153A I. P. C. a leaflet in Hindi entitled "Kisan Sreni Sajag Ho" ("Awake, Peasants!") and another Hindi pamphlet "Kisan Kya Karen"—(What are the Peasants to do!)

### Convictions for Possession of Literature

Shri Phani Dutta was sentenced on June 13 to six months' rigorous imprisonment for having in his possession copies of leaflet entitled "The Joint Manifesto of the All India Trade Union Congress."

Upendra Sidhanta, a student in the Munshiganj (Dacca), has been sentenced to six months rigorous imprisonment for possession of certain seditious literature.

Three persons in Faridpur (Bengal) were sentenced to 18 months imprisonment each for possession of proscribed books.

#### Two Years R I for a Speech

Shree Jyotin Roy Nandy was sentenced on June 12 to two years rigorous imprisonment by the Additional District Magistrate of Calcutta for delivering a speech on February 17 under the auspices of the Bengal Youth League.

#### For Violation of Restraint Order

Chittaranjan Guha has been sentenced to three months imprisonment on a charge of violating the order of restraint issued by the District Magistrate of Dacca under the Bengal Criminal Law Amendment Act.

#### Eight Months Goal for a Detenus

Motilal Banerji of Barisal who had been interned in Burdwan was sentenced to eight months rigorous imprisonment for going beyond the boundary of the place of internment and attending the police station one hour after the appointed time.

#### Heavy Punishment to a Detenus

Himangsu Das of Chittagong was sentenced to five years rigorous imprisonment for writing a letter without the knowledge of the police in contravention of internment rules.

#### Bihar Government Enquiry on Village Industries Association

The activities of the All-India Village Industries Association are engaging the attention of the police in Bihar. A confidential enquiry is in progress to ascertain the nature and extent of the Association's working in the Villages, the manner of its operation, its effect on the masses and the latter's reaction to the Association's programme. The Police are also stated to have been asked to report what, if any, official co-operation has been asked for in furtherance of the work of the Association.

#### Misuse of Sec 144 at Gaya

The officials at Gaya in Bihar applied Section 144 of Cr P C to prevent agitation among the peasants of the district against their disabilities. Swami Sahajanand, a well known worker in Bihar, was prevented by the application of this section from taking part in the Peasants' Conference at New Arwal. Similarly, B Anugrah Narayan Sinha, Secretary of the Bihar P O C, and a member of the Assembly was served with notice not to participate in the Tikari Raj Roy's Conference over which he was to have presided.

#### Police Interference in Maharashtra

The Executive Committee of the Maharashtra Provincial Congress Committee passed the following among other resolutions at a meeting held on 14th July, 1935:

"This meeting expresses its intense disapproval of the unjustifiable interference and maltreatment of Congress workers by the police and advises the public and Congress workers to carry on vigorously the enrolment of Congress members without minding the police behaviour."

The resolution was due to the fact that the authorities have been pursuing a policy of harassment with a view to prevent the growth of the Congress organisation. Apart from securities demanded from vernacular papers like the "Locasatta" and the "Rashtratoj", the police have been insisting upon getting the lists of Congress members. Enquiries which amounted almost to harassment are reported to have been made about the visit of the Congress President and the names of contributors towards the expenses of reception of the President have been noted.

#### For Honouring the Congress President

The Management of the Lokamanya Public Reading Room of Nandgaon in the Nashik district has been asked by the Collector of the District to show cause why the registration of the institution should not be cancelled for presenting an address of welcome to the President of the Congress during his visit to the place in June last.

### Labour Association Declared Unlawful

The Punjab Government have declared on August 10 the Labour Research Society of Lahore, its committees, sub committees and branches to be unlawful associations within the meaning of Part II of the Indian Criminal Law Amendment Act of 1908.

Simultaneously with the issue of this notification a number of places were searched in Lahore and certain papers and books were seized. The Research Society now declared unlawful had been issuing tracts dealing with labour questions for the last two years or more.

### President of Trade Union Congress Convicted

Shri R. S. Ruikar, President of the All-India Trade Union Congress was sentenced on August 16 by the Chief Presidency Magistrate of Calcutta to one year's rigorous imprisonment under Section 124-A (Sedition) I P C for a speech delivered by him during the last Calcutta session of the Trade Union Congress in April. He filed an appeal and has been released on bail.

### Office Searched

The office of the Congress Socialists in Calcutta was searched on August 15 in quest of objectionable literature. The search lasted about an hour, but nothing incriminating was found.

### Press Ordinance in Action

The Editor and publisher of the 'Mazdur Dunia', a labour weekly in Calcutta, was asked to deposit a security of Rs 1000 under the Indian Press (Emergency Powers) Act for publication of articles in connection with the grievances of the detenus and the Government notification declaring several labour organisations in Calcutta illegal.

'Prabhatam' a Malayam weekly, edited by Mr Sankaran Namboodirpad was asked to furnish a security of Rs. 2,000. The paper has in consequence ceased publication.

The 'Rastna Patrika', the largest circulated Telugu weekly, was called upon to deposit Rs 2,000 as security for publishing an article criticising the Government ban on Congressmen entering the Quetta earthquake area.

Notices were served on August 15 on Dr Parulekar demanding a security of Rs 1000 as publisher of the weekly 'Sakal' and a keeper of the Sakal Press under the Emergency Powers Act for the publication of an article under the caption 'Why Loan should be a Burden on the Indians' in the issue of 11th July last.

A notice has been served on Mr S. R. Datta, keeper of the Loka Sangraha Press in Poona city, demanding a security of Rs. 2,000 under the Press Act to be paid before August 28, in connection with the publication by the press of a collection of poems entitled 'Patan' by Amalner (West Khandesh).

A security of Rs 1000 has been demanded from a vernacular weekly in Hyderabad (Sind) in connection with an article relating to Quetta that appeared in the issue of July 15.

Notices have been served on the printer and publisher of Dhinamani (a Tamil daily) and keeper of the Indian Express Press demanding security of Rs. 2,000 each in connection with the publication of an extract on Quetta Earthquake in the issue of Dhinamani dated June 19.

A notice under section 3 of the Indian Press (Emergency Powers) Act of 1931 has been served on Mr M. V. Rao, proprietor of the Ramakrishna Printing Works, Tenali, demanding a security of Rs 1,000 for publishing a Telugu book entitled 'Atma Tyagi', a life sketch of late Jatin Das, a Bengali prisoner, who died in prison in Lahore after a prolonged hunger-strike.

### Protest of Indian Journalists

The following are among the resolutions passed by the All-India Journalists' Conference held in Calcutta on August 17-18 under the presidency of Mr C. Y. Chintamani, Editor of the *Leader*, Allahabad—

1. *Freedom of the Press*—“The All India Journalists' Conference is gravely concerned by the reported intention of the Government of India to renew the Criminal Law Amendment Act, 1932 which included the Press (Emergency Powers) Act 1931 in a more objectionable form. The conference is emphatically of opinion that these acts of 1931 and 1932 as well as the Indian States Protection Act 1934 are utterly incompatible with the legitimate freedom of the Press and the fundamental

right of free expression of opinion and strongly urges that none of these acts should any longer be retained on the statute book."

"This Conference appeals to the members of the Indian Legislative Assembly to oppose all proposals for the renewal of the Press Emergency Powers in any shape or form."

**2 Press Censorship in Bengal** —"The All India Journalists' Conference strongly objects to the maintenance of the Press Officer in Bengal as well as to the manner in which in various ways the freedom of the press has been interfered with by the operations of the Press Officer. The Conference urges the immediate abolition of the censorship."

**3 Anti-India Propaganda Abroad** —"This Conference places on record its strong abhorrence of the propaganda carried on abroad against India and is of opinion that ways and means be devised to combat such propaganda and to conduct a well organised publicity campaign on Indian affairs abroad."

#### **Press Ordinance in Bengal**

Mr R. N. Reid, Home Member, said in the Bengal Council that the number of news papers and presses from which security had been demanded under the Emergency Powers Act of 1931 were 40 in 1932, 21 in 1933, 8 in 1934, 7 in 1935. The security deposited amounted to Rs. 45,800 while the deposits forfeited were Rs. 1,800.

#### **Books Proscribed**

The Bengal Government have proscribed a Bengali booklet entitled "Vir Bangali Jatn Das" (Jatin Das, the Bengali Hero) as it is alleged to contain seditious matter.

#### **Suspended from Practice**

By two different judgments the High Court of Calcutta suspended two lawyers from practice for participation in the last civil disobedience movement. These were Narendra Nath Dev who had been practising at Sylhet and Annada Prasad Mandal, Pleader of Kalna. Dt. Burdwan.

#### **Prisoners in Andamans**

Replying to a question in the Bengal Council Mr E. N. Reid, Home Member, stated that there were 240 prisoners in Andamans from Bengal convicted of offences connected with terrorism. Two such prisoners died there in May, 1935. They were allowed interviews once in three months.

#### **Floods in Bengal**

Ten thousand persons are estimated to have been rendered homeless as a result of the floods in Burdwan district in Bengal covering an area of about 200 square miles. Acute distress prevails in the district.

#### **Forfeiture of Congress Money**

An amount of Rs. 2,052 belonging to the Reception Committee of the Karachi Congress having been claimed by Dr. Chhoturam, President of the Committee, the Government declined to return the amount on the ground that according to their information the amount would have been used by the Sind P. C. C. in the prosecution of the civil disobedience movement.

## **REPRESSION IN BENGAL**

#### **Committee of Enquiry by Congress Party in the Assembly**

A Committee with Shri Mohanlal Saksena as convener was appointed by the Congress Party in the Assembly to investigate into the question of repression in Bengal. Shri Mohanlal Saksena had in connection with this enquiry some correspondence with Mr G. P. Hogg, Chief Secretary to the Government of Bengal, which is given below —

To

THE CHIEF SECRETARY,  
Government of Bengal, Darjeeling

Dear Sir,

Perhaps you are aware that the Congress Party in the Legislative Assembly has appointed a committee consisting of members of the Assembly to enquire and report upon the administration of repressive laws in Bengal. The immediate need for the appointment of the committee arose from the fact that while on the one hand reports were received from authentic sources of harassment of peaceful and law-abiding citizens by unjustified and harsh orders restricting their liberties, of unnecessary hardship and humiliation caused to the people during the course of military marches and quartering of troops in their midst, of extreme inconvenience to inmates and damage to property, caused during numerous house searches, of the ruthless manner in which punitive taxes and collective fines were imposed and realised entailing untold suffering and misery, and lastly of cases of destitute families of detainees which received inadequate or no allowances from the Government for their maintenance, on the other hand when these facts were brought to the notice of the Government by means of interpellations they met with cryptic or evasive answers.

In view of the aforesaid reports and the unresponsive attitude of the Government the Congress Party in the Assembly felt it its duty to appoint a committee to gather authentic information regarding repression in Bengal before taking any further action in the matter.

On the 22nd April on behalf of the committee I issued a questionnaire which has been published in papers. I did not think it necessary to send any copy of it to you or to any other Government official not because the committee desired to collect only one-sided information as has been made out in the circular reported to have been issued by the Government of India, but because I felt it premature to invite the Government at this stage to place their case before the committee. As will appear from the following extract from my forwarding letter, the committee has all along been anxious to get authentic information that can bear scrutiny and examination —

"The committee is anxious to have the most reliable information that can bear scrutiny and examination. It is therefore desirable that information should be carefully sifted and verified before being sent to the undersigned. Exaggeration being detrimental to our cause should be scrupulously avoided.

"It is expected that a few friends should take up the responsibility for supplying the information as per questionnaire regarding their district. In case of difference of opinion only that information should be submitted on which there is complete agreement."

True, the questionnaire was sent in the first instance only to the Congress Committee as that was the only agency which could be expected to co-operate ungrudgingly with the committee, but it did not mean that others, individuals or public bodies, were precluded from supplying information or giving evidence before the committee. In fact, it was only to facilitate this that the questionnaire was given to the Press.

As regards the Government the committee will simply be glad to receive its co-operation. If the Government desired to place a case before the committee, the committee I think, will have no objection either to sending to the Government district-wise information as it is received and has been sifted by the committee, or to sending it wholesale after all the information has been collected and sifted.

In any case, I would request you to kindly let me know the attitude the Government of Bengal is going to take regarding the aforesaid committee.

I am sending herewith copies of questionnaire and forwarding letter for the information of the Government.

Yours faithfully,  
MOHANLAL SAKSENA.

*Reply of Bengal Government*

Sir,

I am desired to refer to your letter of the 13th. June 1933, on the subject of the committee which has been appointed by the Congress Party in the Legislative Assembly to enquire and report upon the administration of so-called "repressive laws"—a term which is presumably intended to comprise the various laws passed by the Local Legislature during recent years for the purpose of assisting the Executive Government in their task of combating terrorism. You request me to let you know the attitude the Government of Bengal are going to take up regarding the committee.

2. In reply I am to inform you that, in the considered opinion of the Government of Bengal, proceedings which to all appearances are prompted by a spirit of antagonism to Government but not to terrorism, cannot fail to be a source of encouragement to those terrorist leaders and organizations that are still active. Government, therefore, will not give any countenance to such proceedings.

I have the honour to be,  
Sir,

Your most obedient servant,  
G P Hogg,

Chief Secretary to the Government of Bengal.

#### Shri Mohanlal Saksena's Second Letter

Dear Sir,

I am in due receipt of your letter No 1499 P D dated the 22nd June, 1935.

I am really surprised at the view the Bengal Government has taken regarding the committee appointed by the Congress Party in the Legislative Assembly to enquire into repression in Bengal, and I must emphatically refute the insinuation contained in your letter. I would further request you kindly to point out anything done by the committee or its members that would warrant the inference drawn by the Government that the committee has been prompted by a spirit of antagonism to Government and not to terrorism. On the other hand I maintain that while the Congress and the Congress Party in the Assembly have been anxious to put a stop to all harassment of peaceful citizens and to secure redress to the innocent victims of Government's policy of whole-sale repression in Bengal, still nothing has been further from their intentions than to do anything that is likely to give encouragement to terrorism.

The policy of the Indian National Congress in respect of terrorism is well known being definitely committed to non violence. I think in its own way it has done much to check the growth of terrorism. Whether the Government may recognise it or not, but it does not mean that it must therefore support the Government whatever it does to suppress terrorism.

Perhaps you are also aware that the Congress has from the very beginning stood and worked for the declaration of fundamental rights, including the one by which no one shall be deprived of his liberty without trial before a court of law, and the Congress Party in the Assembly would have failed in its duty if in face of detention without trial of over 2500 youngmen for an indefinite period, and also reports of harassment of peaceful citizens in other ways, it had not taken steps to ascertain the true state of affairs in Bengal with a view to devise ways and means to secure redress for these unfortunate sufferers.

I do not see why the Government should regard the committee with suspicion, for I am sure it can never be the intention of the Government that even peaceful and legitimate political activities should be suppressed or innocent persons should be made to suffer, and therefore I think that the Government would have been better advised if it had seen its way to co operate with our committee in its work.

In view of what I have written above I still hope the Government will be able to revise its attitude towards the committee.

In any case, I trust, you will have no objection to my publishing the correspondence.

Yours faithfully,  
(Sd.) Mohanlal Saksena

#### Reply of Bengal Government

Dear Sir,

I am directed to acknowledge receipt of your letter dated 27th June, 1935 in which you express the hope that the Government of Bengal will be able to revise the attitude they have adopted towards the committee appointed by the Congress Party in the Legislative Assembly to make certain enquiries in Bengal. You also enquire whether the local Government have any objection to the publication of this correspondence.

In reply, I am directed to state that after giving their attention to the contents of your letter the Government of Bengal find themselves unable to modify the

views which I have already conveyed you in my letter No 1459, P D dated 22nd June. They have no objection to the publication of the correspondence.

G P Hoss,  
Chief Secretary

#### **Prohibitory Order on Shri Mohanlal Saksena**

The District Magistrate of Tipperah (Bengal) issued the following order on Syt. Saksena on his arrival at Chandpur on way to Comilla (Bengal).

"Whereas it is against public interest that you should enter any place in Tipperah district, or remain there I direct you under Section 1 of 18-A Bengal Suppression of Terrorist Outrages Act 1934, not to embark or land at Chandpur I further direct you to go back within 12 hours and not to return to the aforesaid place within one month. Failure to comply with above order will be punishable with imprisonment which may extend to six months, or fine, or both."

On receipt of the above order Shri Mohanlal Saksena returned to Calcutta from Chandpur. In a statement to the Press he said —

"The Committee (of Enquiry) has received information on the basis of the questionnaire from most of the districts and although Bengal members of the committee could have easily verified it as it relates to their constituencies, it was considered desirable that members of the committee from outside Bengal should go to the districts for the purpose of verification and also acquainting themselves with conditions obtaining in Bengal. But the Bengal Government in its wisdom thought fit to frustrate that plan. Notwithstanding the difficulties that are being placed in its way, the committee shall not be deterred from carrying on its task, and the report of the committee is expected to be ready before the next session of the Assembly."

#### **Documents connected with Enquiry Seized**

The C. I. D. police in Bengal arrested on August 12 Shri Haripada Chatterji who had been entrusted by the Bengal P. C. C. with the task of tabulating the mass of evidence and information relating the detenus, their families and their working of the repressive policy of the Government of Bengal, and seized all documents in his possession. These documents were collected in connection with the Enquiry Committee appointed by the Congress Party in the Assembly.

## **TILAK SWARAJ FUND**

#### **How the Crore Raised in 1921 was spent**

Although it is over fourteen years now that the Congress raised a crore of rupees for the All India Tilak Memorial Fund, people not in touch with events occasionally write to enquire how the crore was spent. There is a false impression which has persisted all these years that this crore was collected at one particular place. The detailed audited statements and accounts of the All India Congress Committee for 1921 and 1922 are out of print and will be soon reprinted. But the following statement in popular form prepared and published on behalf of the Working Committee by the General Secretaries in April 1924 is given here for public information. The corrections made by the General Secretaries in their subsequent statement published in June, 1924 have been incorporated in this statement.

#### **Congress Finances**

#### **How the Money collected for the Tilak Memorial Swarajya Fund has been spent.**

[The Working Committee of the All India Congress Committee at a recent meeting directed the General Secretaries to issue a brief statement in popular form about the monies collected and spent by the Congress during the last three years. The Secretaries beg to issue the following statement in compliance with the above direction.]

The All India Congress Committee have taken considerable pains to publish detailed audited accounts of all collections and expenditure of the central office and of the Provincial Congress Committees. None the less there appears to be considerable misapprehension and enquiries and occasional references in the Press indicate that many

people are ignorant of these accounts and do not know how the money was collected or spent. Mention is frequently made of the crore of rupees collected in 1921 and there appears to be impression that this money was brought together at one central place and then spent or distributed. This is not so. The money collected by each Provincial Congress Committee was largely kept by it and spent in its own province according to its needs. A part of it, however, was sent as the provincial quota to the All India Congress Committee.

Audited accounts of the Tilak Swaraj Fund of the central office and the different provinces together with the All India Congress Committee's auditor's inspection reports are prepared annually and placed before the All India Committee. These accounts and statements for 1921 and 1922 were published in book form and widely distributed amongst members and Congress Committees and the Press. Similar detailed accounts for 1923 have also been prepared. They are being printed and as soon as they are ready they will be widely distributed. Any person who is interested in these accounts or desires to refer to details should see these printed statements at the office of any Provincial Congress Committee. Our object here is merely to give a rough idea of the Congress finances to the average person who is not well versed in understanding balance sheets or has not got the time or inclination to study the detailed account.

The income of the Congress is principally derived from the four anna membership subscription and from donations to the Tilak Memorial Swarajya Fund. Membership fees are retained in the provinces and are usually divided between the Provincial Committee, the District Committee and the local Committee. No part of these fees goes to the All India Committee.

The main source of income in the past has been donations to the Tilak Memorial Swarajya Fund. These donations were of two kinds —

**General Donations**—Subscribed by donors without indicating any specific object on which the money was to be spent. The Provincial Congress Committees had the discretion to spend this money on any department of Congress activity, e.g. general propaganda and organisation, national education, khaddar, removal of untouchability, etc.

(2) **Specific Grants**—These were earmarked by donors for particular objects. The earmarking in some cases was general as for instance for khaddar or national education and sometimes it was for a particular institution, like a Vidyapeeth or a national school. In the latter case the money often went direct to the particular institution, or was kept by the local Congress Committee, and did not come into the hands of the Provincial Congress Committee, which exercised only a general supervision.

The All India Congress Committee's quota of the Tilak Swarajya Fund collections was originally fixed in 1921 at 25 per cent. Subsequently in 1922 it was reduced to 5 per cent. This quota of 25 per cent or 5 per cent, however, was only taken from the general collections and not from the earmarked items. Thus no part of the specific earmarked grants came to the central fund of the All India Committee. They were kept entirely either by the Provincial Committee or the local committee or as mentioned above, by the institution concerned. Details about these specific grants can be seen in the provincial or local accounts. The All India Committee could only supervise or check generally by means of the expenditure and accounting of these funds. A great part of these specific items were utilised for capital expenditure, e.g. buildings for schools and colleges, and also for running expenses of educational institutions.

Thus will be seen that the All India Congress Committee is chiefly concerned with the general collections 25 per cent of which in 1921 and 5 per cent subsequently, came into its coffers. The remaining 75 per cent (or 95 per cent) was usually divided up in varying proportions fixed by each Provincial Congress Committee, between the District or local committee and the Provincial Committee. The recommendation made by the Working Committee in 1921 was that, except in the case of big cities, 50 per cent should be left with the districts and 25 per cent should go to the province.

The major part of the collections for the Tilak Swarajya Fund including the famous crore, was made in 1921 and we shall therefore deal with this year separately. According to the report of the auditors a sum of Rupees one crore and thirteen lacs roughly was realised in 1921 and one crore one lac and sixty-four thousand were actually collected by the end of 1921. Out of these collections rupees sixty



four lacs and thirty thousand were for the general fund, and rupees thirty seven lacs were collected for specific ear-marked items.

Special mention has to be made of the city of Bombay. Of the crore and thirteen lacs promised in 1921, Bombay's contribution was nearly thirty eight lacs—twenty one lacs being for the general fund and seventeen lacs for specific ear marked items. Out of these thirty-eight lacs, actual collections in Bombay in 1921 amounted to twenty five lacs including two and a half lacs collected and retained by the Bombay Swaraya Sabha for purposes directly connected with the non cooperation movement. This sum is exclusive of three donations totalling ten lacs which were retained by the donors. In view of the large collections in Bombay it was decided to treat them not as purely provincial collections to be spent in Bombay only but as All India collections to be spent in accordance with the recommendations of the All India Working Committee and the Bombay Provincial Congress Committee. Trustees were appointed to deal with the Bombay collections and in the beginning of 1922 they had about fifteen lacs with them out of the general collections, besides the ear-marked collections.

The All India Committee received about thirteen lacs from the Provincial Committees in 1921 as their 25 per cent quota of the general collections. Nearly half of this amount—six lacs and nine thousand rupees—was given by the All India Committee in the shape of grants to the different provinces for various purposes, e.g., spinning and weaving, rupees two lacs eighty-eight thousand, famine and other relief, rupees ninety thousand, national education, rupees fifty thousand, ashrams, rupees forty thousand depressed classes, rupees twenty six thousand, Malabar relief and a large number of unclassified sums, rupees one lac fifteen thousand. Thus at the end of 1921 the All India Congress Committee had a balance of about seven lacs left. The various Provincial Congress Committees also had balances totalling up to about eight lacs at the end of 1921.

It will thus be seen that out of rupees sixty-four lacs and thirty thousand collected for the general fund, fifteen lacs were the savings of the Bombay Provincial Committee at the end of 1921, about thirteen lacs were held by the other Provincial Committees and rupees seven lacs were held by the All India Congress Committee a total saving of about rupees thirty five lacs by the end of 1921. The balance of twenty nine and a quarter lacs was spent all over India by the All India Committee as well as the different provincial and local committees in the course of the year in the various activities of the Congress.

In the year 1922 and 1923 the total collections for the Tilak Swaraya Fund amounting to about rupees six and a half lacs were for the general fund and rupees sixteen and a half lacs for ear-marked items. As we have mentioned above the All India Committee's quota out of the general fund was reduced to 5 per cent in 1922. The All India Congress Committee thus only received about rupees ninety eight thousand as its quota in these two years and the balance remained with and was spent by the provincial and local committees. The Trustees of the Tilak Swaraya Fund in Bombay made large grants and loans amounting to rupees eight and a half lacs for khaddar work. They gave five lacs to the All India Khaddar Board and Rs. 40,000 for khaddar work in Hyderabad (Dea). They also ear-marked almost the entire amount in their possession for various educational and other purposes. The All India Committee has also made a large grant of rupees six lacs to the All India Khaddar Board, and grants to provinces for various purposes amounting to rupees one lac and a half and loans amounting to rupees fifty-five thousand.

At the end of 1923 the amount held by the All India Congress Committee was rupees eighty-eight thousand seven hundred and eighteen, by the Bombay Trustees of the Tilak Swaraya Fund was rupees seven lacs and eleven thousand, (but all this is ear marked now), and by the various Provincial Congress Committees about rupees two lacs. The All India Khaddar Board held rupees four lacs thirty nine thousand five hundred and twenty eight.

The figures we have given in the preceding paragraph do not include amounts due under loans advanced, etc. Sums totalling Rs. 90,000 have been advanced by the All India Congress Committee to the three Provincial Committees of the United Provinces (Rs. 40,000), Hindustani Central Provinces (Rs. 35,000), and Tamil Nadu (Rs. 15,000). Many other minor sums are also due to the All India Committee on account of Congress delegation fees, etc. The All India Khaddar Board has also advanced considerable sums to various Provincial Committees and other organisations for khaddar work. A total sum of rupees six lacs eighty five thousand was advanced thus by this Board by the end of 1923. This sum included four lacs advanced to the Gujarat

Provincial Committee, one lac to the Bihar Provincial Congress Committee, Rs. 50,000 each to Andhra and Karnatak Provincial Congress Committees, and smaller sums to Kerala Rs. 15,000, Utkal Rs. 10,000, Assam Rs. 10,000, and Sind Rs. 5,000.

Thus taking the figures for the past three years we have a total income of nearly rupees one hundred and twenty five lacs for the Tilak Swarajya Fund. Out of this a little less than rupees seventy one lacs were for the general fund and nearly rupees fifty four lacs for ear-marked items. (We are not here including the sums received for Congress membership and various minor sources of income. As we have stated above the Congress membership fees are entirely spent in the provinces or district where the member resides.) These rupees seventy one lacs were chiefly spent as follows: over twenty three and a half lakhs for khaddar and over five and three fourth lacs for education (both these items are in addition to the ear marked expenditure under these heads). Rupees thirty two and three fourth lacs were spent chiefly by the Provincial Congress Committees and their subordinate committees all over India in various Congress activities e.g. organisation famine relief, floods, volunteers, removal of untouchability, temperance, etc. The All India Congress Committee received about fourteen lacs in all as their quota during the three years. Out of this six lacs were granted to the Khaddar Board and most of the balance of eight lacs was given back to the various provinces in the shape of grants.

The chief heads of expenditure during the last three years have been khaddar and national education. The amount spent on khaddar work is however largely represented by the stocks and other assets held by the All India Khaddar Board and the various provincial committees, National universities in Gujarat, United Provinces, Punjab, Maharashtra, Bihar, etc. and the numerous national schools all over the country have consumed a large amount. Particulars of other grants are given in the published accounts.

We may mention that out of rupees fifty four lacs which have been given for specific ear marked objects rupees twenty-two lacs are invested in immoveable properties, trusts, valuable securities etc. and the income accruing from them is spent on the objects named.

To those who are interested in further details we would again recommend a study of the audited statements published by the All India Congress Committee.

GANGADHAR B. DESHPANDE  
SAIFUDDIN KITCHLEW  
JAWAHARLAL NEERU

General Secretaries,  
All India Congress Committee

Allahabad,  
April 3rd, 1934

## QUETTA EARTHQUAKE

An earthquake of appalling intensity destroyed the city of Quetta and its neighbourhood in the early hours of the morning of Friday the 31st May, 1935. The destruction of person and property caused by this calamity was on such a wholesale scale that the area was cut off from the outside world for a few days. The Police force of the city was wiped out and it is estimated that even now nearly 20,000 corpses remain buried under the debris in Quetta city alone. The total number of deaths in the area is reported to be more than 50,000. British deaths were estimated at 200.

The city was sealed under military guard on the 2nd of June after, it was stated, the authorities had been satisfied that there was no possibility of further survivors to be rescued. The Indian refugees of Quetta were sent to different centres in Sind and the Punjab. Admission of private individuals into the area was prohibited from June 3.

### Report of General Secretaries

Shri Jairamdas Daulatram and Acharya Kripalani, General Secretaries of the Indian National Congress, deputed by the President to help the relief operations on behalf of the Congress, reported as follows by wire to the President —

"Public relief at Quetta is impossible. Military authorities disallowed entry to men like Jamshed Mehta. Even title-holders are refused permission though prepared to make their own arrangements and not to draw on local resources. Much life and property could have been saved and possible danger of epidemics avoided if adequate labour were imported and public offers of co-operation accepted. The whole population, including the injured, are being evacuated. Rumours are rife about abandoning excavation and burning the city with petrol. All twenty thousand lying under debris are assumed to be dead after only three days. The public feel even now life and property can be saved if immediate public co-operation sent by Punjab India are accepted. Public meetings in Sind condemned the attitude of the authorities. Public have sent a wire to the Viceroy. Possible help to sick and healthy refugees is being given by public bodies at various stations in Sind."

#### President's Statement

Referring to the above wire, the President issued the following statement to the Press —

"From my experience of Bihar I can unhesitatingly say that living persons can be recovered from underneath the debris several days after the quake and, therefore, all possible efforts should be made to rescue them. The attitude of the authorities in refusing help from relief organisations is wholly unintelligible. It is well known that such organisations rendered invaluable services in Bihar last year and these have been acknowledged by Government. I cannot understand why they should not be given facilities to administer relief in Quetta and the affected area. The suggestion which has found currency that the devastated city should be blown up or burnt down appears to be so revolting that it is impossible to believe that it has been seriously put forward by any responsible person. Doing that only six days after the quake, instead of rescuing persons buried under debris, would amount to nothing short of murder, not to speak of loss of property which can be recovered. The public mind is naturally seriously agitated. I have also appealed to the Viceroy to permit bonafide relief organisations to administer relief. I hope the authorities will give due weight to the public feeling in this matter and revise their decision."

#### President's Wire and Government Reply

The following are texts of telegrams that passed between the Congress President and the Government of India regarding the refusal by Government of entry of bonafide relief parties to Quetta —

"His Excellency Viceroy, Simla. Public greatly agitated over refusal relief parties entry Quetta. Bihar experience shows living persons capable being dug out from debris several days after quake. Earnestly request Your Excellency afford bonafide relief parties opportunity save buried persons and render other relief in Quetta and affected area."

Rajendra Prasad

#### Reply

"Your telegram to His Excellency the Viceroy of 5th June, 1935. The reasons which have made it necessary for Government of India to prohibit all private individuals going to Quetta have been made clear in communiques just issued to the Press to the whole of which we invite your earnest attention. Conditions in Quetta are very different from those in Bihar and are such that every single additional person going to the area adds greatly to the difficulties of those engaged in relief operations of great magnitude and danger. Government have ample resources to deal with situation in Quetta itself but those desirous of participating in relief work can render valuable assistance by helping refugees to the Punjab or Sind."

Home Department

#### General Secretaries Refused

Syt. Jaramdas Daulatram and Acharya Kripalani, General Secretaries, also sent a wire to His Excellency the Viceroy to be allowed permission to proceed to Quetta to study conditions to enable to advise the public with regard to help and relief. But replies identical to the one given to the President were received by the two General Secretaries from the Home Department.

#### Demand For An Enquiry

Shri Jaramdas Daulatram and Acharya Kripalani sent a wire to the President indicating the need for a sitting enquiry into the handling of the situation at

Quetta and for starting an agitation insisting that Government should unfold their future plans. In a separate press statement, Acharya Kripalani questioned the contention of the Home Department that Government had ample resources to deal with the situation at Quetta. He said even those who praised the work of the military for rescuing life and property admitted that the men available were too few for the task before them. The abandonment of efforts to save life on the 2nd instant, or as Government asserted on June 4, had not been entirely due to the difficulty caused by powerful stench, which could have been overcome, but to want of men and other resources.

He pointed out that the evacuation of the whole population inclusive of inmates of hospitals had been made mainly due to the inadequacy of the resources at Quetta. Every train coming from Quetta contained a number of the wounded but until June 5 it was without any medical attendance and was not provided with diet for the sick. Frantic messages sent by distracted relatives costing thousands of rupees remained undelivered for want of messengers. All this showed that the resources at Quetta were inadequate to meet the situation.

#### Gandhi's Request Refused

Gandhiji's request by telegram to the Viceroy for permission to visit Quetta was refused on the ground, it was reported, that there was nothing for private relief workers to do at Quetta. Similarly the request of the Congress President for permission to conduct relief operations in villages and the country side was rejected.

#### Forfeitures for Criticism of Quetta Policy

The Government proceeded against four newspapers under the Press Emergency Powers Act for publishing articles criticising their Quetta policy.

The *Free Press Journal* of Bombay lost a security of Rs. 20,000 for publication of two articles, viz., "Lives can even now be saved" (June 7 1935) and "Anomalies of Quetta Relief" (June 9). On demand of a further security of Rs 20,000, the journal ceased publication.

A security of Rs. 1,000 of the *Bombay Standard* has similarly been forfeited for an article under the heading "quake Relief and Quack Remedy."

Another victim of this campaign of forfeitures is the *Teg* of Delhi which has lost Rs 1,000.

In the fourth case the Delhi Government ordered the vernacular daily the "*Quami Gazette*" to deposit a security of Rs. 1,000 on the ground that it had accused the soldiers at Quetta of having made invidious distinctions between European and Indian victims of the earthquake. The effect of these forfeitures was that the Press was practically muzzled so far as the Quetta policy of Government was concerned.

#### Quetta Central Relief Committee

In response to a wide-spread demand from the public the President of the Congress provisionally formed the Quetta Central Relief Committee consisting of the following —

Babu Rajendra Prasad, President; Seth Jammalal Bajaj, Sardar Vallabhbhai Patel, Pandit Madan Mohan Malaviya, Sir P. C. Ray, Mr. Bhulabhai Desai, Mr. G. D. Birla, Mr. Mathradas Vissanji, Dr. Khan Sahib, Mrs. Fern, Captain Mr. Jamshed Mehta, Sheikh Abdul Majid Sindhi, Diwan Bahadur Murliidhar, Seth C. Hanrajanmaji, Dr. Gopichand Bhargava of Lahore, Lala Dani Chand (Ambala), S. Sardul Singh Caveeshar, Maulana Abdul Kadir Kassuri, Lala Duni Chand (Lahore), Lala Dhahn Ram (Dera Ghazi Khan); Mr. Jauramdas Daulatram and Dr. Choithram (Secretaries).

In a statement to the press emphasising the necessity of such a Committee the President said that the relief in the case of Quetta sufferers would have to be extensive and spread over a long time. The need for immediate relief had no doubt been met by various organisations but more expensive work would have to be undertaken when things had settled down. He did not know whether relief operations in villages and the countryside by non-official agency would be permitted. He would approach the Government for permission, as the reasons for prohibition of entry of outsiders into the town of Quetta were obviously not applicable to the villages. If such permission was granted a wide field of useful activity would be opened by the Committee.

## PROCEEDINGS OF THE WORKING COMMITTEE

**Madras—15th & 16th October, 1935**

The Working Committee met at "Shri Bang," Mylapore, Madras on October 15 and 16, 1935. Babu Rajendra Prasad presided. The following members were present —

Sardar Vallabhbhai Patel, Mrs. Sarojini Naidu, Shri Jammalal Bajaj, Shri Pattabhi Sitaramayya, Shri Gangadhar Rao Deshpande, Shri K. F. Narayan, Shri Surendra Mohan Motra, Shri Jairamdas Daulatram, Shri J. B. Kripalani.

The minutes of the last meeting were confirmed. Statements of office accounts from July 1935 to September 1935 were placed before the meeting and passed.

### "History of the Congress" and other Publications

The Committee sanctioned Rs. 6,000 for the printing and publication of the English edition of the "History of the Congress" by Dr. Pattabhi Sitaramayya and Rs. 1,000 for the printing and publication of brochures in connection with the fiftieth anniversary of the Congress.

### Audited Accounts of Reception Committee of the Bombay Session

The audited accounts of the Reception Committee of the forty eighth session of the Congress held in Bombay were placed before the Committee.

The Committee passed the following resolutions —

#### I. Primary Members in Sindh and the Punjab

Resolved that the primary members enrolled in Sindh and the Punjab after the 13th June with the permission of the President in view of the peculiar conditions created by the Quetta Earthquake shall be deemed to have been enrolled on or before the 13th June.

#### II. Rural and Urban Members from Delhi, Utikal and Tamilnad\*

In view of the fact that the Provinces of Delhi, Utikal and Tamilnad have not sent the figures of members belonging to rural and urban areas separately as required by Article VI of the Constitution and that it is impossible to allot to these provinces more than the minimum number of delegates provided for in Article VI (f) (ii) in the absence of such figures, the Working Committee is of opinion that the defaulting provinces should be called upon to furnish the required information within 31st October failing which they will not be entitled to send more than the minimum number of delegates, viz., 10 each.

#### III. Quota of Subscription of Bengal P C C.

The Working Committee deplores the attitude of the executive of the Bengal P C C on the payment of the provincial subscription and regrets that no choice has been left to it but to enforce the constitution and debar the members of the A I C C from Bengal from attending the next or any subsequent meetings of the A I C C in terms of the resolution of the Committee passed at Jabalpur on April 25 and 26, 1935.

#### IV. Quota of Subscription of Utikal P C C

Considered the representation received from the Utikal P C C —

The Working Committee regrets that it is unable to grant the Utikal P C C any exemption from payment of the balance of its provincial subscription. But in view of the special circumstances mentioned it is prepared to extend the time and allow its members to attend the A. I. C. C. if the balance of the quota is paid before or during the meeting.

#### V. Quota of Delegates from Bengal

Resolved that the President be authorised to fix the quota of delegates from Bengal after taking such steps as he thinks fit in view of the complaints received by him regarding the list of primary members from the Province.

\*The requisite figures from the three provinces having been immediately received, the delegates returnable by them were allotted.

The Working Committee at its meeting held at Wardha from July 29th to August 1st, 1935, passed the following two Resolutions Nos X and XI on the Central Calcutta Congress Committee dispute —

#### RESOLUTION X—CENTRAL CALCUTTA C C DISPUTE

"Considered the representation of the Bengal P C C regarding Central Calcutta Congress Committee,—

Resolved that in view of the fact that Syt. M. S. Aney was given comprehensive powers by the Working Committee at its sitting held on July 28 and 29, 1934, to take whatever action was necessary for setting up without delay the Congress organisation in Bengal, and further in view of the fact that the Central Calcutta Congress Committee set up under his decision has been functioning since September 1934, the Working Committee sees no reason to disturb the existing arrangements.

The Working Committee further resolved that the action taken by the Re-organisation Sub Committee of the Bengal P C C calling upon the Central Calcutta Congress Committee to deposit all application forms, receipts and membership fees is set aside and the Committee set up under Syt Aney's award shall continue to function till a fresh election takes place under the constitution.

The Working Committee regrets to note that the Re-organisation Sub-Committee should have taken upon itself the responsibility of practically setting aside the decision of Syt Aney and taking *ad interim* action

#### RESOLUTION XI—LATTER PROCEEDINGS

"The Working Committee heard Syt. Narendra Nath Sen on Central Calcutta Congress Committee dispute at great length but saw no reason to revise its previous decision on the subject."

The Working Committee regrets that the Executive Committee of the Bengal P C C instead of giving effect to the said resolutions passed the following resolutions on 28th. and 29th. September, 1935 and 6th. August, 1935

"That in view of the representation made by Syt. Narendra Nath Sen of Central Calcutta Congress Committee and Syt. Bhupendra Nath Basu and others of the South Calcutta Congress Committee, this executive council directs the Secretary of the B. P C C not to hand over the papers and money to the said D C C

"Regarding the Working Committee's remark expressed in the last paragraph of its decision on Central Calcutta D C C the Executive Council of the B P C C is of opinion that the findings of the Re organisation Sub-Committee were not contrary to Syt. Aney's decision and the Sub-Committee was quite justified in passing *ad interim* order pending the decision of the Working Committee. The Council regrets that the Working Committee failed to realise the true import of the *ad interim* order of the Sub-Committee"

The Working Committee is therefore of opinion that the Executive Committee of the Bengal P C C has in so doing deliberately disregarded and disobeyed the orders of this Committee and therefore calls upon it to show cause by the 15th November why disciplinary action should not be taken against it under Article 12 of the constitution and the rules framed thereunder

#### VII. Burma]

The Working Committee assures the Burma members of the A. I. C. C that notwithstanding the constitutional separation of India and Burma the Indian National Congress will continue to watch with sympathetic interests the political situation in Burma and in view of the impending separation it appeals to the Indians settled in Burma and the Burmans that they will continue to bear towards each other the same goodwill and friendly relations as have hitherto subsisted.

#### VIII. Constitutional Sub-Committee

Resolved that a Sub-Committee consisting of the President, Dr. Pattabhi Sitaramayya, Syt. Jairamdas Danatram and Acharya J. B. Kripalani be appointed to examine the new constitution of the Congress in the light of experience gained in its working and to report to the Committee thereon.

**IX 50th Anniversary of the Congress**

The Committee adopted the following programme for celebration of the 50th anniversary of the Congress.

**OFFICIAL PROGRAMME**

- 1 Prabhatsphera to commence before dawn.
- 2 Flag-hoisting and salutation 8-30 A. M. (S. T.)
- 3 Procession—Afternoon ending in public meeting in the evening
- 4 Public meeting—Evening
  - (a) Bandemataram.
  - (b) Opening song.
  - (c) President's message
- (d) Speeches about Congress i e., its history, programme, achievements etc., uptill now
- 5 The day to be devoted to works of national service illustrating the constructive work of the Congress
- 6 Sale of small national flags.
- 7 Illumination at night (Note —There should be no fireworks of any kind whatsoever)
- B. Suggestion relating to items one or more of which may be taken up according to the facilities of the locality or inclination of the organisers,—
  1. Sports
    - (a) Wrestling
    - (b) Indian games.
    - (c) Tournament
  2. MELA
    - (a) Khadi Exhibition and demonstrations.
    - (b) Village Industries Exhibition and demonstration.
    - (c) Exhibition of other Swadeshi articles in terms of the Bombay Congress resolution
  - (d) Kavisammelan or Mushaira—subjects to be of national interest and importance.
  - (e) Music

**C Congress Propaganda through suitable literature—**

History of the Congress and other literature bearing upon national problems

**X. Reconstitution of Delhi**

Read the letter from the Delhi P. C. C. suggesting reconstitution of the Congress province of Delhi.—

Resolved that the matter be referred to the Punjab, and U P P C. Ca. for their opinion."

**XI. Settlement Between Andhra and Karnatak P. C. Ca.**

The Committee recorded the following settlement between the Secretaries of the Andhra and Karnatak P. C. Ca. regarding the district of Bellary

- (i) The Talukas of Adoni, Alur and Rayadurg shall be as before under the jurisdiction of the Andhra Provincial Congress Committee
- (ii) The question relating to the boundary disputes shall be deferred for the present.
- (iii) For purposes of elections to the Legislatures and Local Bodies from the Bellary District there shall be a Parliamentary Board consisting of five members, two one behalf of the Andhra area and three for the Karnatak area to be appointed by the respective Provincial Congress Committees and it will function in accordance with the policy and programme of the Congress.
- (iv) The Organiser of the Andhra area in the Bellary District may continue to hold his offices in Bellary Town till the Bellary Congress Committee is formed"

**XII. Date of the next Congress**

Resolved that the President be authorised to fix the date of the next session of the Congress in consultation with the Reception committee at Lucknow

## XIII Quota of Delegates for the next Congress

Province	Rural members	Urban members	Total	Rural delegates	Urban delegates	Total
1 Ajmer		282	282		10	10
2 Andhra	30738	14365	45103	61	20	81
3 Assam	2388	232	2620			10
4 Bihar	69798	9007	78805	140	18	158
5 Bengal						
6 Berar	4928	2130	7058	10	3	13
7 Bombay		17362	17362		21	21
8 Burma			669		.	10
9 Nagpur	4476	3662	8138	9	3	12
10 Delhi	5097	3540	8637	10	3	13
11 Gujarat	17362	6703	24065	35	12	47
12 Karzotak	13756	7293	21049	28	9	37
13 Kerala			4062			10
14 Mahakosal	17168	8876	26044	34	11	45
15 Moharashtra	16577	11681	28258	33	11	44
16 N W F					..	10
17 Punjab	5899	6719	12618	12	4	16
18 Sindh	115	3909	4024			10
19 Tamilnad	34806	20198	55004	70	23	93
20 U P	39000	23703	62703	78	26	104
21 Utikal	5829	1000	6829	12	2	14

Note.—The basis of calculation is Article VI (i) (ii) Provision 1 of the Constitution according to which delegates from the urban area in each province cannot exceed 25 per cent of the total number of delegates returnable by the province. The quota of delegates from Bengal will be fixed by the President

## THE ALL INDIA CONGRESS COMMITTEE

Madras—17th. &amp; 18th October 1935

## Summary of Proceedings\*

The All India Congress Committee met at Congress House, Mount Road, Madras on October 17 and 18, 1935. Babu Rajendra Prasad presided. The following members were present—

## Ex-Presidents

Syt. C. Vijayaraghavachariar, Sardar Vallabhbhai Patel, Shrimati Sarojini Naidu

## Elected Members

Ajmer—Syt. Said Razmi, Andhra—Syt. Dr. B. Pattabhi Sitaramayya, Syt. T. Prakasam, Syt. Konda Venkatappaya, Syt. B. Sambamurti, Syt. K. Nagaswara Rao, Syt. A. Kaleswara Rao, Syt. T. Viswanatham, Syt. B. Gopalareddi, Bihar—Syt. Jaya Prakash Narain, Syt. Mahamaya Prasad Singh, Sm. Ramtanuk Devi, Sardar Harihar Singh, Bengal—Syt. Surendra Mohan Moitra, Berar—Syt. Brjbal Bhanu, Bombay—Syt. K. F. Nariman, Syt. K. M. Munshi, Syt. Yusuf Meherally, Burma—Syt. R. K. Gharekhan, Syt. R. K. Dadachanji, Gujarat—Syt. Kanaylal N. Desai, Syt. Morari B. Desai, Karnatak—Syt. G. B. Deshpande, Syt. S. Venkatappa-thaiya, Syt. R. E. Diwakar, Syt. N. S. Hardikar, Syt. G. V. Hallikeri, Sm. Kamaladevi, Kerala—Syt. P. Krishnapillay, Syt. K. M. Sankaran Namboodiripad, Mahakoshal—Syt. Ravishanker Shukla, Syt. Capt. Lal Awadhesh Pratap Singh, Maharashtra—Syt. S. D. Deo, Syt. N. V. Gadgil, Syt. D. K. Gosavi, Syt. A. V. Tilak, Syt. Gokulbhai Bhat, Syt. B. C. Lagan, Nagpur—Seth Jammalal Bajaj, Punjab—Sardar Sardul Singh Pleadar,

\*For detailed proceedings of the A. I. C. C. See *post*.



Sardar Gopal Singh Kaami, Sindh—Syt. Jairamdas Danlstram, Swami Govindanand, Tamil Nad—Syt. S. Satyamurthi, Sm. Rukmini Lakshmi, Syt. C Venkatrengam Naidu, Syt. Sripad Shankar, Syt. Gopalaswami, Syt. K. V. Venkatasubalan, Syt. Avinashlingam, Syt. N. Narayanan, Syt. Audikesavelu Naicker, Syt. S. Venkatraman, Syt. M. Bhaktavatsalam, U. P.—Acharya J. B. Kripalani

The following resolutions were passed —

### I Officers under the New Constitution

Considering the long interval of time that is bound to elapse before the next general provincial elections under the new constitution and the uncertainty of political conditions during this long period, this Committee is of opinion that it is not only premature but also inadvisable and impolitic to come to any decision on the question of acceptance or non-acceptance of office at this stage and therefore affirms the resolution of the Working Committee passed at Wardha on the subject. At the same time the Committee desires to make it clear that it sees no objection to the question being discussed in the country

### II. Indian States

This meeting of the A. I. C. C. adopts the following declaration of Congress Policy on Indian States issued by the Working Committee from Wardha, dated August 1, 1935.

[ For the text of the declaration See p. 224 ]

### III. Anti-Indian Propaganda Abroad

In view of the anti Indian Propaganda abroad, it is resolved [that the Working Committee of the A. I. C. C. be authorised to take such action as is proper and feasible to undo the evil.

### IV. Rules of Procedure of A. I. C. C.

The following Rules of Procedure for the conduct of its business were adopted by the Committee

1 The A. I. C. C. may be summoned by the President or the Working General Secretary with the previous approval of the President to meet at any place within the country and as often as required by the Working Committee.

2 The notice of a meeting days before the date of meeting except in case of emergency when a meeting may be summoned by a notice of seven days only

Note —As far as possible the subjects to be discussed at the meeting of the A. I. C. C. shall be circulated among the members of the A. I. C. C. along with the notice convening the meeting

3. The President and the Secretaries shall be sole judges of the occasion for summoning an emergent meeting

4. The A. I. C. C. shall meet on a joint requisition addressed to the Working Committee by not less than fifteen members. Such requisition shall specify the purpose for which the requisitionists desire a meeting of the A. I. C. C. At such meeting additional items of business may be brought up for consideration provided due notice thereof has been given to the members

### Order of Business etc.

5 In the order of business the draft resolution of the Working Committee shall have priority

6. The order of the rest of the business of the meeting shall be settled by the President.

7 The Working Committee shall assign at least one clear day for resolutions other than those of the Working Committee of which due notice may have been given by members of the A. I. C. C.

8. The order of precedence of resolutions by private members shall be determined by lot.

9 Notice of resolutions by private members should reach the office at least seven days before the meeting.

10 It shall be in the discretion of the President to allot the time for speakers moving either substantive propositions or amendments or generally taking part in the debate.

**Resignation from A. I. C. C.**

11 Resignation from the A. I. C. C. shall be placed before the President who will accept it and declare the place of the member on the A. I. C. C. vacant.

12 Any vacancy in the A. I. C. C. by death, resignation, removal of a member or otherwise will be filled up by the members of the Provincial Congress Committee by election from among themselves.

**Election Disputes**

13. Objections to elections will be dealt with in the provinces in accordance with rules framed in this behalf by the Provincial Congress Committees.

14. Appeals will lie to the Working Committee against decisions by Provincial Congress Committees, or against their refusal or failure to give decisions.

15 Any appeal preferred to the Working Committee will ordinarily be decided by the Tribunal appointed in accordance with Article XI-(h) of the constitution. It will be open to the Working Committee to decide such dispute if it considers it inconvenient or impracticable to convene a Tribunal in terms of Article (XI)-(h).

16 The decision of the Election Disputes Tribunal or of the Working Committee, as the case may be, shall be final.

**Other Disputes**

17 Complaints against individual members of any Congress Committee will be dealt with in the provinces in accordance with rules framed by the Provincial Congress Committee.

18. No subject which can be ordinarily dealt with by a P. C. C. shall be referred to the A. I. C. C. concerned.

19 Where a P. C. C. refuses to forward an appeal or representation to the A. I. C. C. the aggrieved person or Committee shall be entitled to approach the President for order directing the P. C. C. to forward the said appeal or other representation. The President may after considering the representation pass such order as he may think fit. The P. C. C. will therefore be bound to carry out the order of the President.

20. An appeal will lie to the Working Committee against any decision of a Provincial Congress Committee, or in the event of its failure or refusal to give such decision.

21 The Working Committee will either decide such disputes itself or will appoint any other person or persons to decide them. The decision of the Working Committee or of the person or persons appointed by it, as the case may be, shall be final.

**CONGRESS LABOUR SUB-COMMITTEE****I**

Acharya Kripalani issued the following statement from Madras on October 17, 1935 regarding the proposed joint meeting of the Congress Labour Sub-Committee and the Labour Joint Board —

"At the instance of Mr. Ruikar, a meeting of the All-India Joint Labour Board and the Congress Labour Sub Committee was fixed to be held at Madras at the time of the Congress Committee and the A. I. C. C. meetings there. After the meeting was fixed Mr. Ruikar sent in his letter of the 1st October, 1935, what appeared to me to be a formal agenda for the meeting. The first item in the agenda was 'The functions of the Labour Sub-Committee. There were other items. While acknowledging his letter, I pointed out to Mr. Ruikar in my letter of 4th instant that our functions could not possibly be decided by the various Labour Sub-Committees, for they had already been decided for us by our principals, the Working Committee, in their resolution passed at Wardha and these were 'to keep in touch with problems affecting industrial labour and from time to time report to and advise the Working Committee thereon.' I requested Mr. Ruikar in the same letter to fix no set (formal) agenda and stated that we might discuss all things without any formal decision or taking of votes. I also pointed out that anything beyond this would be outside our scope.

"On my way to Wardha on the 8th instant, I met Mr. Ruikar at Nagpur and we had a talk about these two letters. Mr. Ruikar explained to me that the agenda he had

sent was not a set (formal) agenda, but he had only suggested these topics for discussion. He also told me that he understood my point of view and the limitations under which my Committee worked. He inquired of me as to when he should reach Madras. I told him that we were reaching on the evening of the 14th. and if he reached then it would be all right.

"On the 11th instant, when I was at Wardha I read a United Press message from Nagpur in the papers that Mr. Rukar was not attending the meeting at Madras because of the unsatisfactory nature of my letter of the 4th instant and my personal talk with him. As soon as I read this, I wrote to him on the 12th instant reminding him of my talk with him and that he had not expressed any disagreement at the time and that he had even asked when he was to reach Madras. I took this opportunity to again assure him that subject to the terms of the Working Committee resolution creating the Labour Sub-Committee, we shall always be happy to meet him and the members of the Joint Board and discuss with them all questions relating to industrial labour in India.

"I reached Madras on the 14th instant. Mr. Giri fixed with me an engagement and very kindly came and met my Sub-Committee on the 15th instant, in response to a letter addressed to him by Mr. Rukar on the 9th October written after his talk with me at Nagpur. I showed him all the correspondence I had with Mr. Rukar and also what had appeared in the Press from Nagpur. He agreed with me that the first item on the agenda could not possibly be discussed, but that we could discuss other subjects in the agenda. He also agreed with me that whatever agenda was fixed would have to be fixed in consultation with each other. But all parties could, of course, suggest topics of discussion. He further said that his Sub-Committee was in the same position as our Sub-Committee, that it was competent only to report and that it had no powers to arrive at any final decision or take any action, that it could only submit its views to its principals, namely, the National Trades Union Federation and the A. I. T. U. C., and the final decision and all action could only be taken by the principal organisations. Mr. Giri, however, wanted to call Miss Kara and Mr. Nimbkar who were in Madras and who also had been asked to attend by Mr. Rukar in his letter of the 9th.

"Mr. Giri again met us on the 16th instant but without Miss Kara and Mr. Nimbkar. In the meantime there was another Press message from Nagpur evidently given by Mr. Rukar to the effect, that it was understood "that Mr. Giri does not intend to attend the joint meeting of the Congress Labour Sub-Committee and the All India Joint Labour Board meeting to be held in Madras this week. In the absence of the agenda Mr. Giri feels that no useful purpose will be served by joining the meeting." Mr. Giri, however, expressed he had no knowledge of the communication and it had not been issued at his instance. He told us that Miss Kara and Mr. Nimbkar were not coming and if they had come he would have discussed several topics in the agenda with us. But as Mr. Rukar and the two others were not coming he did not like to discuss any topic alone. He, however, hoped that another opportunity will be availed of to exchange views.

## II

Mr. V. V. Giri, President, All-India Joint Labour Board issued the following statement to the Press, dated, Madras, October 28, 1935 —

"It is not my desire to enter into any controversy regarding the failure of these two Committees to meet at Madras as originally arranged in order to discuss matters relating to Labour in India.

Thanks to the members of the Congress Sub-Committee, they are still prepared in spite of what has occurred, to meet the Joint Labour Board and discuss matters in the agenda sent by the Board except their functions given to them by their principals, the Working Committee.

It is for the Joint Board to make earliest representations to the Working Committee of the Congress to enlarge the scope of the Sub-Committee so that it might do more useful work and be in constant touch with the Joint Board which represents the A. I. T. U. C. and N. T. U. F. in all agreed matters.

As certain references were made to me in this controversy in both the statements of Messrs. Kripalani and Rukar, I desire to state my position without giving any offence or attributing any motives to whomever.

As the President of the Joint Board, I was anxious not to take any part in the deliberations of this meeting without the active co-operation of Mr. R. S. Rukar and his colleagues of the Trade Union Congress, for it must be remembered that the Joint

Board represented the greatest measure of common agreement between A. I. T. U. C. and N. T. U. F. especially as the decisions of the Joint Board can only come into operation if they are agreed to by both sides and not repudiated by either of these two bodies.

That being so, the first Press statement issued from Nagpur on the 10th made me feel that Mr. Rukar was not attending because of his dissatisfaction with the attitude of Mr. Kripalani and alleged refusal to agree to any agenda supported by the Joint Labour Board. Therefore, I felt that no useful purpose would be served by my attending the said meeting unless the Congress Labour Committee was desirous of the same.

I therefore expressed this to Mr. Rukar on seeing his first communication in the Press and subsequently the letter of Mr. Rukar dated 9th was received by me enclosing a copy of Mr. Kripalani's letter dated 4th October and saying while he was of the view "according to Mr. Kripalani, nothing tangible is likely to come out of these discussions", he suggested that myself, Mr. Nimbkar and Miss Mamben Kara may discuss with the Congress Committee and report to the Joint Labour Board about the results. I attempted to get into touch with the Labour Sub-Committee. They fixed an engagement for the 15th October. As I found nobody to attend the joint meeting, at my request Mr. Kripalani agreed to postpone the meeting to a future date when it would be convenient for both parties to meet.

Mr. Rukar has not been good enough to communicate to me the contents of Mr. Kripalani's letter dated 12th from Wardha or wire me its contents or even forward a copy so far, which in my humble view, makes the position of the Congress Sub-Committee more clear and unambiguous even if the letter of Mr. Kripalani dated 4th was not quite explicit.

According to his letter dated 12th October Mr. Kripalani has written to Mr. Rukar to say "I can only say that subject to the terms of the Working Committee's resolution creating the Labour Sub-Committee, we shall be always happy to meet you and members of the Joint Board and discuss with you all questions relating to industrial labour in India."

In the circumstances, I wonder, why Mr. Rukar as President of the All-India Trade Union Congress should still continue to say "there was nothing in it (the above quoted letter) to justify any change in his original decision."

The Congress is prepared to discuss any labour question and it is for organised labour desiring an understanding with the Congress to suggest for discussion specific questions. It is to be hoped that Babu Rajendra Prasad's explicit desire in favour of meeting between the Joint Labour Board and the Congress Sub-Committee and his authoritative expression of desire to co-operate with the Trade Union Movement to the maximum extent possible should hearten those who sincerely want collaboration between the Congress and organised labour.

The present position is that there has been only a postponement of the meeting that should have taken place in Madras."

## ALL INDIA SPINNERS' ASSOCIATION

### Re-organisation of Khadi Production and Sale

A meeting of the Council of the All India Spinners' Association was held from the 11th to 13 October at Wardha. Mahatma Gandhi presided over the meeting. The following resolutions were adopted —

1 This Council is of opinion that the wages now paid for spinning are inadequate and therefore resolves that they be raised and a suitable standard be fixed so that spinners may at least receive a minimum wage calculated on the basis of eight hours' efficient work, sufficient at least to procure clothing (20 yards per year) and maintenance in accordance with a scientifically prescribed scale of minimum food requirements. All concerned should try, as circumstances permit, for a progressive rise in the wages scale, so as to reach a standard enabling each spinning family to be properly maintained out of the earnings of its working members.

2 In order to guide the A. I. S. A. workers in the execution of the principle underlying the foregoing proposition, the following should be regarded by all branches and bodies working in affiliation to or in any other way, under the

(a) The mission of the Association is to make every home in India self-sufficing through khadi with reference to its clothing requirements, and to promote the welfare of spinners who are the least paid among khadi artisans and all others engaged in the different cotton processes beginning with growing cotton and ending with the weaving of khadi.

(b) It is therefore imperative that those who work for the production of khadi, whether as artisans, sellers or otherwise, shall use khadi for their clothing requirements to the exclusion of every other kind of cloth.

(c) All the branches and affiliated bodies shall so work the scheme as to avoid all losses, that is, so as to restrict their production to the demand within their own selected areas commencing with their immediate neighbourhood and never extending beyond their province except in so far as they are called upon by other provinces to meet the latter's demand.

(d) In order to avoid surplus production, producers may restrict their operation only to those spinners who solely depend upon spinning for their daily bread for part of the year or the whole of it. Branches and other bodies shall maintain an accurate register of all the spinners and other artisans employed by them and shall deal directly with them. In order to ensure the use of the wages for clothing and food a part or the whole of them may be paid in kind, i.e. khadi or other necessities of life.

(e) In order to avoid overlapping undue competition, or duplicating of expenses where there are more khadi producing organisations than one, the area of operation of each shall be previously defined. Private certified producers will not be encouraged by the Association. Among those that are already certified, those only who will work strictly under the same rules that govern the Association branches and take all risks without any prospect of recouping themselves from the Association will have their certificates renewed on the strict understanding that any breach of the rule that may be laid down from time to time or instructions given will involve automatic withdrawal of their certificates.

(f) It should be understood that it is the primary and imperative duty of all organisations working under the Association to promote the scheme of self-sufficing khadi. Production of khadi for meeting the demand of cities or of khadi wearers outside cities who do not spin for themselves is a secondary or supplementary duty. No organisation will be considered bound to produce or sell such khadi.

## ASSEMBLY ACTIVITIES

### Autumn Session of the Assembly

The Autumn session of the Indian Assembly commenced its sitting at Simla from September 3, in the midst of tense and expectant atmosphere. Various controversial issues formed the subjects of its deliberations. The adjournment motion of Shri A. C. Dutt to censure the Government on the ban placed on Shri Mohan Lal Saxena, a member of the Assembly, preventing him from touring Bengal for gathering information about the repressive activities of the Bengal Government was disallowed by the Governor-General on the ground that it was not a matter primarily concerning the Governor-General in Council. Some other adjournment motions having been similarly disposed of, the President admitted the adjournment motion of Shri Satyamurti despite the objection of Government, to discuss the prohibition of the convener of the Committee, Shri Mohanlal Saksena, appointed by Congress members of the Assembly to investigate and report on the condition of the detainees and their families in Bengal from entering certain places in the province. Then motion was set down to be discussed at 4 p. m. But at 3-30 p. m. the President announced that although he had admitted the motion for discussion, the Governor General had prohibited it in exercise of his special powers.

### Adjournment Motion to Discuss Raid on Benda Village

The adjournment motion of which notice was given by Shri Satyamurti for discussing the lack of discipline in the army as evident by the conduct of the soldiers of the King's regiment in Benda village was ruled out of order by the President.

**Bombing of Women and Children in the Frontier**

Dr Khan Sahib moved an adjournment motion to discuss "the bombing of innocent women and children in Transborder villages by the Indian Army (Air Force) which is going on now." He said the bombing took place near his own village. He himself saw the R. A. F. planes going. The House would be surprised to learn that the first notice of the bombing operation to the villagers was the bombing itself and the Peshwar Press published the notice three days after the bombing took place. He urged for the cessation of this wanton chastisement of the Transborder people.

In his defence of the measure the Army Secretary said that 24 hours notice was given to the tribesmen by dropping leaflets so that women and children had ample time to vacate their houses. The idea is to cause discomfort and economic pressure and induce their tribe to surrender without loss of life.

Dr Khan Sahib pointed out in his reply that leaflets thrown from air for giving notice was useless because the people were illiterate.

The House divided and carried Dr Khan Sahib's motion by 67 votes against 44.

**Shri Massani's Passport**

Shri Akhil Chandra Dutt withdrew his adjournment motion relating to the impounding of Shri Massani's passport since the matter had been satisfactorily settled.

**Manufacture of Locomotives**

Sami Venkatchelam Chetty moved that immediate steps be taken to equip State Railway Workshops with the necessary additional plant and machinery to ensure manufacture of all locomotive requirements within the Railway workshops.

The motion was carried by 65 against 45 votes.

**Ban on Abhoya Ashram**

The Governor General disallowed the resolution by Shri Akhil Chandra Dutt regarding the removal of ban on Abhoya Ashram of Bengal.

**Rejection of Criminal Law Amendment Act**

Sir Henry Craik, the Home Member, introduced the bill amending the Criminal Law. In the statement of objects and reasons of the bill, the Government stated that the Criminal Law Amendment Act of 1932 was due to expire on December 18. The Government of India proposed by the present bill to continue some of the provisions of that act in permanent form. These were (1) provisions against certain forms of intimidation, (2) provisions against associations dangerous to public peace, and (3) provisions to secure greater control over the Press.

In view of the suspension of civil disobedience the Government decided not to continue the provisions against forms of intimidation which were a special feature of that movement, but picketing however peaceful and non violent being likely to be the main feature of any subversive movement the Government proposed to give permanent effect to the section against it although it would not come into force unless extended to a particular area by a local Government.

By section 13 of the proposed bill Government was empowered to take action in connection with places used for purposes of unlawful associations. Sections 14 to 16 continue and extend the scope of the Indian Emergency Powers Act 1931. The Government felt that they could not safely relax their existing powers for control of the Press and of unauthorised news-sheets and newspapers so long as the Terrorist movement continued to exist in India.

The Assembly by 71 votes against 61 rejected the motion for consideration of the Act. The victory of the Congress Party by a margin of 10 votes showed the utter unpopularity of the bill even among those sections of the House which do not always see eye to eye with the Congress. After the original rejection of the bill on September 12, it was reintroduced on September 16 with a recommendation from the Viceroy for its acceptance which was also rejected by the Assembly by 69 against 57 votes. The Bill was then considered by the Council of State and certified by the Viceroy.

**Viceroy's Address**

The Congress Party in the Assembly abstained from the function when Lord Willingdon addressed a joint session of the Assembly and the Council of State on

September 16 which was followed in the afternoon by his message to the Assembly recommending the acceptance of the Criminal Law Amendment Bill, which as already stated was rejected by the Assembly

#### Quetta Earthquake

The resolution moved by Mr Kumaraswami Raja for a mixed Committee of officials and non-officials to investigate the handling of the situation after the earthquake at Quetta was defeated by 57 against 61 votes in the Assembly. The defeat was due to the unfortunate absence of some four Congress and three Independent members at division time. The Government members showed a good deal of tamper during the debate. Shri Bhulabhai Desai, the opposition leader, referred to this touchiness of Government on the Quetta question and interpreted it as evidence of a guilty conscience. He said the very resistance of the Government to the resolution roused suspicion. No one he pointed out, questioned the actual relief undertaking, but the question was whether the staff for the purpose was adequate and whether rescue work could not have been carried on for some time longer than the muddle of June 2. He said both the Army and Foreign Secretaries buried this issue.

#### Repeal of Cr. Law Amendment Act of 1908

The Assembly carried by 65 against 60 votes the motion that the Bill of Mr B. Das repealing the Cr. Law Amendment Act of 1908 be taken into consideration. A good deal of heat was generated in the Assembly in the course of discussion on this motion, the Home Member having gone to the length of making a personal charge against Mr Shamlal a member from the Punjab.

In the course of his speech Lala Shamlal said that as a former defence counsel in conspiracy case he proposed to give instances from judicial records to show how the special powers given to the Government were abused how evidence was fabricated by the police, how the police and magistrates were found guilty of various offences and how trials were conferred on them by Government. When the Lahore conspiracy case was proceeding the approver said that he wanted to be taken out of the custody of police and placed under jail custody without which he could not give facts. An application was made to the High Court asking orders for their removal from police custody but the Government in the exercise of their special powers issued an order declaring the fort in which the approver was kept as jail thus defeating the object of the defence application.

Lala Shamlal multiplied instances when he alleged the C I D and the magistrate were involved in committing perjury and forgery and declared such officials would surely abuse the special powers. He reminded the House of the statement made by the accused in the Lahore conspiracy case that they were determined to become terrorists only after they saw the Police Superintendent himself deal a lathi blow on Lala Lajpat Rai.

In conclusion Lala Shamlal pointed out that terrorism was due to British domination and exploitation and when the latter ceased the former would necessarily stop.

#### Ban on Khudai Khidmatgars

Some supplementary questions and answers in the last Assembly on the resolution passed by the Assembly regarding lifting of ban on the Khudai Khidmatgar and other Congress organisations in the N W Frontier Province elicited the information that the Government had decided not to act on it. Asked by Shri Satyamurti as to the reasons for that decision the Home Member stated that he had given the reasons in his speech on the resolution.

#### Detenus in Bengal

The President of the Assembly disallowed a number of questions by Shri Mohanlal Sakeena relating to the detenus in Bengal and forfeitures of Press securities.

#### Press Laws at work Action against Newspapers

Beth Govind Das asked two short notice questions, which Sir Henry Craik replied by placing on the table of the House detailed statements showing the action taken against newspapers in India either under the Press Ordinance of 1931 or the Press Emergency Act of 1931.

The first statement showed that during the year 1935, action was taken against 72 newspapers and the total amount of securities deposited was Rs. 25,960. Information as to the reasons for which the newspapers were called upon to deposit security was not available.

### Provincial Statistics

Provincially divided, this statement showed that in the Madras Presidency security was demanded of nine papers, of whom only one deposited it and the others did not, with the result that seven ceased publication and in the case of one the declaration became void.

In the Bombay Presidency, no less than 31 papers were asked to deposit security during 1935, of whom twelve deposited it and nineteen did not. Of these nineteen, four were papers which could not be started for failure to make the deposit.

In Bengal, four papers were asked to deposit security and all failed to do so. In the United Provinces, three papers were affected and all of them ceased publication for failure to deposit security.

In the Punjab twelve newspapers were asked to deposit security. Four deposited money of which the security of one was forfeited. As for the remaining eight, two ceased publication and the others did not publish.

In Delhi, action was taken against eight papers, of whom two deposited security and two have ceased publication.

### Articles on Quetta Earthquake

The second statement showed the action taken against newspapers under the Press Emergency Powers Act of 1931 for publication of articles on Quetta Earthquake Relief.

Fifteen newspapers were penalised for such writing of which in the case of the "Free Press Journal" Bombay, the "Medina Bynor", the "Bombay Standard", the "Taj" of Delhi and the "Arjun" of Delhi, security was forfeited, while "Quam" and the "Gazette of Delhi" ceased publication.

The other newspapers affected are the following—Kistna Patrika of Masulipatam, the Trihing of Madras the "Dhinamani" of Madras the "Prabhat" of Mangalore, the "Khilafat" daily, the "Sivvasat of Hyderabad" "Sins Khadim Quadam" of Calcutta, the "Vikas" of Shahrampur and the "Shujaat" of Lahore.

### Monies Deposited

The third statement gave the names of 160 newspapers which have deposited a total of over 2 and a half lakhs in security since the Press Ordinance of 1930. Provincially arranged, the position is as follows—

In Madras, the security totalling Rs. 26,200 has been taken from twenty-two newspapers of which "Indian Express" and the "Gandhi (Madras)" deposited security thrice and twice respectively.

Bombay again tops the list in that 55 newspapers deposited a total security of Rs. 1,04,201. Of these the "Free Press Journal" made six deposits totalling Rs. 31,000 and the "Maharatta" of Poona made five deposits totalling Rs. 9,000.

In Bengal 21 newspapers deposited security totalling Rs. 32,300. The "Liberty", the "Nayak", the "Anand Bazar Patrika", the "Dainik Basumat" and the "Viswamitra" made two deposits each.

In the United Provinces, seven newspapers deposited a total security of Rs. 6,300.

In the Punjab 31 newspapers deposited a total security of Rs. 47,250. The "Zamindar" made a record number of deposits being eight, totalling Rs. 20,000 and the "Akash Patrika", the "Tirvag" and the "Naw Yug" made two deposits each.

In the Central Provinces and Coorg one paper in each area deposited Rs. 1,000 each, while in the N. W. F. Province one paper made two deposits totalling Rs. 500.

In Delhi fourteen papers made a total deposit of Rs. 21,900 of whom the "Arjun" made three deposits totalling Rs. 7,000 and the "Taj" two deposits totalling Rs. 4,000.

In Ajmere-Merwara, three papers made a total deposit of Rs. 1,700.

The total securities deposited all over India amount to Rs. 2,52,851.

### Forfeitures

The fourth statement gave the names of newspapers whose securities were forfeited along with the amount forfeited, since the Press Ordinance of 1931.

These are, Madras, the "Gandhi" Rs. 50, Bombay, the "Free Press Journal" Rs. 23,000, the "Nayak" Rs. 3,000, the "Navashakti" Rs. 1,000, the "Bombay Standard" Rs. 1,000, Bengal, the "Liberty" Rs. 500, the "Nayak" Rs. 100, the "Ananda Bazar Patrika" Rs. 1,500, the "Dainik Basumat" Rs. 500, the "Viswamitra" Rs. 200, the "Kshatriya Sansar" Rs. 500, the "Zamindar" Rs. 300, the "Mushakal Kueha" Rs. 250,



U P, "Madina" Bijnor Rs. 1,000, Delhi, the "Taj" Rs. 100, the "Arjun" Rs. 2,000, Total Rs. 39,530

The fifth statement was the biggest of all. It gave the names, province by province, of 348 newspapers that failed to deposit the requisite securities and were in consequence not started or ceased publication or whose declarations became null and void, since the Press Ordinance of 1931. The provincial penalty is as follows—

Madras, 28 newspapers, Bombay 78, Bengal 26, U P, 31, the Punjab, 172, Bihar and Orissa, 5, Assam, 3, N.W.F.P., 9, Delhi, 27, and Ajmere-Merwara, 2

#### Purchase of Stores

Replying to Sardar Sant Singh and Mr. Lalohand Navarlai, the Railway and Army Secretaries assured the House that the Military and Railway Departments purchased abroad only such stores as were not available in India.

Sardar Sant Singh asked whether the Government were aware that British managed concerns in India discriminated against Indian products as was shown by a statement made in the London "Times" and enquired whether the Railways also made a similar discrimination.

Sir Mohammad Zafrullah stated in reply that no State owned Railway made any such discrimination and as for British managed concerns in India, he had no information.

#### Conduct of Troops in Dacca

Sir Henry Craik refuted as baseless the allegations made in a question of Syt. A. N. Chatterpadyaya relating to the conduct of British troops stationed at Vikrampur, in the district of Dacca, and added that no complaints had been received from local people.

Shriyut Sri Prakasa, Shri Mohanlal Saksena, Pandit K. K. Malaviya and Shri Motra contended that the Press Officer in Bengal censored all news relating to the military. The Home Member denied the allegations.

Shriyut Saksena asked whether papers containing complaints submitted to his Enquiry Committee left with a person who had since been arrested had been forfeited, or whether they would be returned?

Sir Henry Craik. Certainly not.

## A CONGRESS DIARY

(September-October, 1935)

### Congress Participation in Provincial Elections

Babu Rajendra Prasad, Congress President, in an interview to the Press on Congress participation in the proceedings of the Delimitation Committee and enrolment of voters for the new elections said,—

"The Congress has not taken any interest in the shaping of the constitution since Mahatma's return from the Round Table Conference in December 1931. It cannot, therefore, at this stage take any steps regarding the activities of the Delimitation Committee."

"As regards the enrolment of voters in the registers under the new constitution the Working Committee has not issued any particular instruction, but since it is likely that the Congress may participate in the elections it is just as well that Provincial Committees should take steps to carry on propaganda amongst the people to get themselves enrolled as voters. Nothing will be lost by such action on the part of Provincial Committees and even if the Congress decides not to participate in the elections which appears to me unlikely, enrolled voters may or may not vote as they choose when elections take place. I find from newspapers that the Bombay Provincial Congress Committee has already taken steps in the direction of and is carrying on propaganda. Other Provincial Committees may well follow suit."

### Benda Village Raid Case

The Sessions Judge of Jabulpore delivered judgment on October 19 in the sensational Benda Village Raid Case.

Agreeing with the unanimous verdict of the jury, the learned Sessions Judge sentenced Private Thomas Byrne to 18 months and one year's rigorous imprisonment to run consecutively Pte John Burke to two years rigorous imprisonment to run consecutively, and Pte John Hancock and Pte Albert Bates to 18 months rigorous imprisonment each for being members of an unlawful assembly.

Pte George Thomas King who was charged with rioting and causing wilful damage to property was found guilty of the former charge and was awarded 18 months' rigorous imprisonment.

Pte. George Henry Archbold, who was charged with rioting and arson, was sentenced to two years rigorous imprisonment under each count, sentences to run concurrently.

Ptes. James Dowdall, George Swanson and Michael Joyce were charged with being members of an unlawful assembly, rioting and murder. George Swanson was further charged with being armed with deadly weapons. Excepting Dowdall, all were unanimously held to be not guilty of murder, but of raiding the village with deadly weapons. Swanson was awarded three years rigorous imprisonment and Joyce 18 months rigorous imprisonment. Dowdall, who was unanimously declared guilty of murder, was sentenced to transportation of life.

Pte Ernest Thorpe was unanimously held not guilty, and acquitted.

The facts of the case were that these soldiers of the King's Regiment made an attack on village Benda near Jabulpore as the result of which one villager named Bidhata died and several persons including women and children were injured. Following the confession of four approvers the authorities made 23 arrests from the Regiment. The police charge sheet stated that the deceased Bidhata met with his death while attempting to rescue his daughter Piyara from the hands of the soldiers when he was knocked down by Dowdall, beaten to death by Dowdall, Byrne, Swanson and others. The statements of the approvers in the case brought out the gruesome details and diabolic nature of the raid and shocked the whole of India.

#### Release of Pandit Jawaharlal Nehru

Pandit Jawaharlal Nehru was released on September 5, 1935 on account of the serious illness of Mrs. Kamala Nehru, the unexpired portion of his sentence being suspended. He left for Europe by air a few hours after his arrival at Allahabad from Almora jail. He issued the following statement to the Press before he left —

"On Monday morning, Sep 2, I received a cablegram from Dr. Steffen, who is in charge of the sanatorium in Badenweiler, where my wife is under treatment, to the effect that my wife's condition was critical and that he had informed the India Office and the Viceroy of this. The same night the following message was conveyed to me —

"In view of news received from the doctor in Germany of the serious illness of Pandit Jawaharlal Nehru's wife, the Governor-General-in-Council has decided to allow Pandit Jawaharlal Nehru to proceed at once to Germany to enable him to join his wife, and for this purpose has suspended his sentence under section 401 of the Criminal Procedure Code.

I do not remember the wording of this section but in any event it seemed that in view of the decision of the Governor-General-in-Council my imprisonment has automatically terminated for the present at least. I was further told that there were no conditions or restrictions but in the event of my returning to India before the date on which my sentence would have expired in the ordinary course that is February, 1936, I would have to return to prison. I expressed my appreciation of the courtesy extended to me by Government but several matters seemed to me to require elucidation and in order to avoid all chance of misunderstanding I made certain enquiries. In answer to those enquiries I was given the following message at about midday on September 3.

1. In any event, that is, if I returned earlier than February, 1936, imprisonment would not go beyond February next year.

2. In Europe there would be no restrictions on travel.

3. As regards the few days intervening between this date of my release and the date of my departure from India by air there would be no restrictions on me. But the Governor-General-in-Council trusted to my honour not to make any political speeches during this period.

I left Almora jail within half an hour of this message and came direct to Allahabad.

I might add that the burden on my honour is not a heavy one. After over nineteen months of seclusion it would be extraordinary vanity and folly on my part to rush suddenly to the platform and presume to give advice on public questions to my colleagues or others. Even if I had been released in the ordinary course after completing my sentence, I would have taken some time to adjust myself to the new conditions and to acquaint myself with all that has happened during the period of my seclusion, important and of vast consequence as much of this has been. It would have been an unperturbance on my part and unfair both to myself and to my colleagues, to come to any decision without the fullest consultation with them. My sudden and unexpected release makes it even harder for me to make the necessary adjustment, and the immediate cause of my release is such as to fill my mind with anxiety to the exclusion of much else. It is my intention to proceed to Europe by air as soon as arrangements can be made and to join my wife there.

#### In Protest of New Black Act

The nationalist Press throughout India observed a day of hartal in protest against the Viceroy's certification of the Criminal Law Amendment Bill and suspended their publication on September 27. The certified Bill has been passed through the subservient Council of State and has become the law of the land.

#### Cr Law Amendment Bill in Provincial Councils

Several Provincial Councils have followed in the wake of the Government of India and passed the Cr Law Amendment Bill or Act similar to it despite vehement opposition from the popular benches.

The Assam Council passed the Assam Cr Law Amendment Bill in the third week of September last and the Government have notified that it will be brought into operation from December next.

The Bombay Government introduced the Bombay Special Emergency Powers Bill in the local Council, which was adopted by the present subservient Bombay Council after the opposition had walked out to mark their protest against the measure.

Rao Bahadur Kale in the course of his lengthy and emphatic speech pointed out that "the Act would be arbitrarily used not only to crush violent movements but to suppress the feelings of nationalism in the country."

In the process of its consideration by the Bombay Council, the Bill underwent some modification which were more or less of an unsubstantial nature.

Next to Bombay the Punjab Council passed the second reading of the Punjab Cr Law Amendment Bill on the 25th October last.

The most noticeable feature of the debate in the Punjab Council was that many of those who had supported the Bill in 1932 opposed it vehemently on the ground that the Government had misused the special powers given to them during the past couple of years.

The fact of the local Councils passing these coercive bills in one shape or other shows that the various local Governments are acting with the common object of stifling all political life in the country.

#### President's Tamil Nad Tour

Babu Rajendra Prasad, the Congress President, was presented with purses exceeding Rs 19,000 during his Tamil Nad tour. He travelled more than 1080 miles by car and 813 miles by train. Twenty municipalities, three District Boards and twenty-eight Panchayats presented him with addresses. He addressed more than hundred meetings in the Province.

#### Report of the Borsad Plague Enquiry Committee

Borsad is a Taluka of the Kaira district of Gujarat which has become famous throughout India due to the part taken by its brave population in the several campaigns of *hatyagraha*. This Taluka was visited by Plague every year since 1932. The villages affected by the epidemic and number of deaths from it increased from year to year till the attention of Sardar Vallabhbhai Patel and his devoted band of Congress workers

in Gujrat was drawn to the woeful state of affairs and compelled them to take up the work of relief in hand. Although the severity of the visitation this year was greater than in previous years the thorough and systematic manner with which Sardar Vallabhbhai tackled the situation brought the epidemic under check and gave immediate relief to the panic-stricken population. At the same time it exposed the slovenly and perfunctory methods of the Government Department of Public Health. The failure of the Government may be said to be in a sense responsible for the growing virulence of the epidemic from year to year.

The success of Sardar Vallabhbhai and the devoted workers of Gujrat and its appreciation by the public, however, led the Director of Information to the Government of Bombay to issue a communique on April 27, explaining the measures taken by Government, and also with a view to clear some 'misunderstanding', in the course of which he made some remarks in disparagement of the efforts of Congress workers saying that efforts of private individuals were likely to be ineffective, "unless the measures taken are scientific and based upon the prolonged experience of the best measures, possessed only by the Public Health Department."

The communique called forth a reply under the joint signatures of Sardar Vallabhbhai Patel and Darbar Gopaldas Desai, which again, was repudied by Government, and a regular controversy ensued. Charges made by the Government against Congress workers provoked Sardar Vallabhbhai to expose the utter inefficiency of the Government Department, and the measures taken. The criticisms and charges made in the Government communiques were such that Sardar Vallabhbhai pointed out in his letter to the Secretary to the Government of Bombay, Home Department, dated 2nd July, 1935, that he was advised by lawyers that some of them would have amounted to libel if not made in privileged Government communiques. He therefore demanded the withdrawal of those charges or in the alternative a public enquiry by a "committee of independent medical men and other capable of weighing evidence". But the Government refused to take up the challenge. Sardar Vallabhbhai therefore invited some independent friends to form a committee and take up the enquiry and requested the Government to "authorise the departments concerned to assist the committee to elucidate the truth. This Committee of Enquiry consisted of Shri D. N. Bahaduri, Dr M. D. D. Gulder, Dr Phiroz C. Bharucha and Shri Vaikunth L. Mehta as Secretary, whose report has just been published by the Plague Relief Committee, Borsad.

The Government declined to help or participate in the enquiry although their cooperation was invited by the Committee. Referring to this non-cooperation of Government the report says it might be alleged that the enquiry of the Committee was *ex parte*, but it states that such is not the case as most of the evidence had to be taken from public records and from official communications between the Departments of Government and the District Local Board.

After careful analysis of the whole evidence before it the Committee has shown in the report that the charges made by Government in regard to (1) the alleged defective method of work of the Congress workers, and (2) their alleged unwillingness to co-operate with or their open discourtesy towards Government servants of the Public Health Department, were wholly unfounded and untenable.

At the same time the Report has confirmed and justified all the charges made by Sardar Vallabhbhai against the Government, which may be summarised as follows —

1. The Government and the Local bodies failed to take prompt and adequate preventive measures against the spread of the epidemic although it was within their power to do so.
2. The work of inoculation was woefully neglected.
3. The incompetence of Dr Shah appointed for inoculations.
4. No preventive measure was taken by Government in the inter-epidemic periods although it was known that such measures were most effective to control the epidemic.
5. Belated grant of Rs. 2,000 and its misuse.
6. Doctors of the District Local Board and Public Health Department treated no plague patients.
7. The neglect by the authorities of the village Vichhal from where there was no report before over 9 deaths had occurred, and subsequent spread of the epidemic in the village.
8. The Mamlatdar of Borsad thought fit to stir himself in the matter when there had been already about 300 deaths.

9 The Collector and Assistant Director of Public Health could find time to visit the affected area only five months after the outbreak.

10 The Government claim their measures to be scientific, but facts proved the contrary.

11 No attempt having been made by Government to isolate or inoculate 27 immigrants to Borsad from a Plague-infected area, the infection started by them resulted in 327 deaths.

The medical members of the Committee, Dr M D D Gilder and Dr Phiroz C Bharucha appended a detailed and valuable note to the Report suggesting preventive and curative measures against the plague epidemic for the guidance of volunteers.

## CONGRESS PRESIDENT'S TOUR IN THE SOUTH

### Tamil Nad

The Congress President, Baba Rajendra Prasad began his Tamil Nad tour from the 19th of October commencing with the City of Madras, just after the A I C C meeting. He visited 14 Congress Districts travelling more than two thousand miles by train. The tour was completed on the 9th November.

Even in the remotest village through which the Congress President passed, men, women and children gathered in their hundreds and waited for hours to have his darshan demonstrating thereby that the Congress message has penetrated even in the remotest parts of the country.

The President addressed about 116 meetings arranged in the programme. Besides he had to address a large number of wayside meetings which did not find a place in the published programmes. Twenty Municipal addresses, three District Board addresses and twenty-eight Panchayat Board addresses besides numerous other addresses by various public bodies were presented to the President during his tour. Most of the addresses were in Hindi. The President was very much impressed by this and in almost every meeting he addressed, he appealed to the people to learn Hindustani, the National language of India. Another noteworthy feature of the tour was that Mussalmans and Christians were throughout as enthusiastic in welcoming the Congress President as Hindus. The Congress President was also gratified to note the satisfactory work done in the matter of Harijan uplift in the south. The Harijans themselves who met the President expressed satisfaction at the work of the Harijan Sevak Sangh.

The Tamil Nad Congress Committee organised a purse fund to be presented to the President in the places he visited. The total amount of the Purse fund came to Rs. 20,421 3-0. Out of this sum 12 and half per cent has been sent to the A I C C being the All India quota.

The President was very much impressed by small purses presented by villagers consisting of coppers only. On the day he finished the tour, he observed:

"The nature of the purse itself is a proof of the fact that our message has reached the masses. Nowhere did I get a purse of more than Rs. 700 or Rs. 800. In some places I got big bags of money containing all coppers, I consider that to be very valuable. That shows the masses have responded to its call."

In all district headquarters, workers' meetings were arranged and the President gave them advice as regards future work. Another important feature of the tour was that students and ladies took part in large numbers in the demonstrations and public meetings. The President took rest on the last day of his tour in Tamil Nad at Annamalai University as the guest of Rt Hon'ble V. B. Sreenivasa Sastry.

### Andhra and Kerala

The President similarly toured in Andhradesa from November 10 and in Kerala from December 1 to 8, 1935 visiting all places of importance and even some remote villages in those provinces. The length of country covered by the eastern and western districts of the Congress provinces of Andhra is over a thousand miles. Except in half a dozen places, the President addressed the meetings in Hindi which were rendered into Telugu by a worker of the Dakshin Bharat Hindi Prachar Sabha. Women mustered strong in all the public meetings. There were no separate meetings for women as in northern India. Men and women, old and young, vied with one another to render honour to the nation's elect.

The collections during this tour were as follows —

Purse collections	20,143-1-0
Bar marked amounts	14,934-0-0
Total	35,077-0-0

The President spent a most pleasant eight days in Kerala and regretted that the Travancore State could not be included in the itinerary owing to want of time. He found the same enthusiasm for the Congress in Kerala as in other provinces. Within eight days he covered 470 miles by car and 325 miles in train, addressed 57 meetings and was presented with purses amounting to Rs 4,205 14-5 for Congress work.

#### Present Congress Programme

In a significant speech delivered at Tellichery in South India, Babu Rajendra Prasad put forth a defence of the present Congress policy and programme which he regarded as the most practical under the present conditions. Referring to the critics of the programme he said that he could only give them, the assurance that those who were in charge of the Congress had their eyes and ears open.

"I ask what is wrong in the Congress programme for achieving unity of the various communities which inhabit this land? I ask what is wrong in encouraging the establishment of cottage industries which we have taken up as one of our important items of work? How can we expect to win Swaraj if we continue to treat millions of our own people as untouchables in this very land. These are problems which can command our services. I do not understand why people should run down this programme. It is easy enough to create discontent, it is easy enough to demolish what has been built up, mere creation of discontent is not solution of the problem of poverty of this country. The Congress has after fifty years of service and sacrifice by generations of men and women, succeeded in winning a certain amount of confidence of all classes. Does any one imagine that this great affection which this great institution has won for itself is of no value in the struggle for freedom? I regard it as the greatest national asset which we have in our possession to-day, and I regard it as a great sin against the country if any one wishes to destroy or to injure this prestige. I ask all friends who are interested in the freedom of the country to add to this prestige, to increase it, and if they cannot do that, at any rate, to leave it untouched. It is easy to destroy, but very difficult to build up. The Congress has been working as your mouth-piece for winning freedom. If the Congress is strong it is because you have given it that strength."

#### Unemployment in Indian Villages

In his speech at the opening ceremony of the Khadi and Swadeshi Exhibition at Calcutta, Babu Rajendra Prasad, the Congress President, said that unemployment among the masses in Indian villages was so acute that Government dared not take a census. He said the problem in India was not to introduce mechanised labour to displace human labour, but to provide work to the villagers in their own homes. He appealed to all to encourage cottage industry and help the villages to regain their prosperity.

## A CONGRESS DIARY

(November-December, 1935)

#### Economic Condition of Villages Round About Delhi

The Delhi Congress Committee appointed a village sub-committee which toured the villages in Delhi province in April last for first hand information about the condition of the village people and the disabilities under which they were labouring. The committee has now submitted its report which has brought to light the appalling condition of the village population within the jurisdiction of the Imperial city. The tour, as the report points out, was undertaken with the specific object of gaining an insight into the existing economic and agricultural conditions in the villages, collecting authentic information about the working

of the land revenue system the collection of taxes and cess, the failure of crops and its effect on the rural population, famine, poverty, village industries and their scope of expansion, sanitation, medical aid, rural indebtedness and other connected problems.

The committee visited as many as 27 villages and interviewed hundreds of villagers. The result of their investigation is recorded in their report.

Referring to the poverty of the village population the report says that Indian politicians were accused of harping on the theme of this poverty of India as an article of political belief. They were termed sentimental, and their arguments were regarded as fallacious. But it invited any impartial observer to visit any of these villages and compare its conditions not with the villages of advanced countries of the West like England, but with those of Bulgaria, Greece and Northern Italy, and it was convinced that no different conclusion could be reached than the conclusion of the report itself. There could be no two opinions on the picture of the sad and increasing poverty of the cultivator of the province. He was living on the verge of economic ruin. This poverty and misery was not even stationary; it was on the increase. There was no trace of any rise in the standard of living of the village people notwithstanding official theorists and statisticians who were never tired of talking of such rise. Royal Commissions on Agriculture brought no change in production. No effort had ever been made by the Local Government to develop the economic resources of these villages. On the other hand, the committee found such conditions as tended to reduce the productivity of the people.

The report dealt with taxation, medical aid and village industries and said that besides direct and indirect taxes the village people had to pay a number of cesses peculiar to their village life. Only five small dispensaries were maintained in the five Parganas of the province. Condition of roads was bad and educational facilities for children of the villagers were lacking.

#### Enforcement of Cr. L. Amendment Act

A Gazette of India Extraordinary announced (December 18) that the Criminal Law Amendment Act came into force forthwith throughout British India.

This bill had been twice rejected by the Indian Legislative Assembly in the last September session and was later passed by the Council of State under the recommendation of the Governor-General.

#### Special Powers Bill in U. P. and the Punjab

On the 19th November 1935 the U. P. Legislative Council passed the Special Powers (Extending Bill) Act without division. The old Act enacted for a period of three years was about to expire. It was passed during the civil disobedience movement and was directed against the no rent campaign. The present Act, in the absence of no rent campaign in the province has been passed for a period of 5 years on the plea that there is a strong Socialist Party in the province which wanted the abolition of the Zemindars. In spite of the Government pledge of not re-enacting the Bill, on the previous occasion they re-enacted it for a longer period on plea of the Socialist bogey. A similar Bill in the Punjab Council was passed on the 18th of November 1935, the argument of the Government in this case was nearly the same.

#### Punjab Cr. L. A. Act for Delhi

By a notification in an extraordinary issue of the Gazette, the Government of India extended the Punjab Criminal Law Amendment Act to the province of Delhi.

#### A Novel Prosecution

'Could the address of the Chairman of the Reception Committee of the Bengal Provincial Socialist party of Congressmen's Conference held in the last week of September be regarded as news-sheet as contemplated by the provisions of the Indian Emergency Press Act?'

The above question cropped up in connection with the case against Shri Ganada Mozumdar and Shri Atul Bose who were prosecuted for publication and distribution of the former's address as Chairman of Reception Committee without obtaining a declaration. The Chief Presidency Magistrate of Calcutta held that no stretch of imagination could describe the leaflet in question as a news-sheet. It was merely a lecture and not news to any one. The speech itself was not a subject matter of any prosecution and the mere printing of it did not involve violation of the "Press Emergency Powers Act." The Magistrate acquitted both the accused.

### Six Months' R I for a Speech

Shri C P Subbiah, Congressman and Municipal Councillor of Coimbatore was sentenced to six months' rigorous imprisonment for some passages in his Presidential Address to the Kalitalai Taluq Conference, which the convicting Magistrate held to be objectionable

### All India Liberal Federation

A session of the National Liberal Federation was held on December 28-30, 1935 at the Victoria Technical Institute Hall at Nagpur with Shri Venkatarama Shastri in the chair. The conference was marked by a general desire for concerted action specially in co operation with the Congress against the new reforms. The conference passed several resolutions. The resolution while expressing its strong dissatisfaction against the constitutional act of 1935 held that situated as India was it could not boycott the new constitution. The resolution expressed the desirability of all nationalist parties or groups acting together to secure from it whatever good it could yield to the country accelerating the reform of the constitution demanded by and acceptable to Indian opinion. It also laid down that no constitution would satisfy Indian opinion which would not approximate as nearly as may be to the constitution of the Dominions.

### Criminal Law Amendment Act

The Federation recorded its strong protest against the Criminal Law Amendment Act and the several Provincial Special Powers Acts passed in the present year. They perpetuated or prolonged the extraordinary powers taken by the Executive virtually free of judicial control first in the form of Ordinances and next of temporary legislation. The legitimate liberty of the public was seriously menaced by these Acts and the Federation therefore urged their immediate repeal.

### Untouchability

The Federation felt the profoundest sympathy for the Depressed Classes and was utterly opposed to any person being regarded or treated as an "untouchable". The Federation wished every success to the nation wide movement for the removal of this blot upon India and for the elevation of those classes.

### Indian States

The National Liberal Federation re-affirmed its complete sympathy with the aspirations of the subjects of Indian States for civic and political liberties and regretted that in the large majority of States there was not as yet even the semblance of constitutional or representative government. It deplored the absence of any provision for the election of the State's representatives in the future Federal Legislature and of any recognition of the rights of citizenship for the people of the States. The Federation again urged the Ruling Princes to concede without delay the right of their subjects to security of person and property, to freedom of the press and of association, and an independent judiciary as well as representative government as a preliminary to full responsible government within the All India Federation.

### Indians Abroad

A long resolution enumerating the various grievances of Indians abroad and condemning the anti-Indian attitude of the white settlers in the colonies was also passed.

### Labour Conferences

The Executive Committee of the All India Trade Union Congress held its meeting at Nagpur during the last Christmas days. The annual meeting of the National Federation of Trade Unions also assembled at the same time and place. The two meetings were inspired by a desire at structural unity on some common basis. Some plans were discussed but no definite decision was arrived at. It is hoped that something tangible will result from these efforts at unity of the two labour organisations.

The All India Joint Labour Board also met at Nagpur in the last week of December, 1935. It was felt that the co operation of the Indian National Congress was necessary for the solution of the problems affecting the working classes and it was resolved that the Joint Labour Board should meet the Congress Labour Sub-Committee and the President of the Indian National Congress to discuss ways and means for such co-operation.



### Socialist Party Conference

A conference of the Socialist Party was held at Meerut on January 19 and 20, 1935 under the presidency of Shrimati Kamaladevi Chattopadhyaya. About fifty delegates from all parts of India attended the conference. At the outset the conference passed a resolution recommending Pandit Jawaharlal Nehru for the presidentship of the next session of the Congress. The conference passed a number of other resolutions including one concerning the reforms which wanted that the Congress should make the working of the constitution impossible and suggested that in provinces where the Congress secured a majority, it should abstain from forming or supporting any ministry as that would be a step towards the working of the constitution, and as such would divert attention of the country from direct action to which the Congress was pledged. In provinces where the Congress failed to secure a majority the resolution held that it should use the councils for obstructing and exposing the anti-national measures and also as platforms for propaganda, particularly for voicing the fundamental and immediate political and economic demands of the masses.

One resolution denounced the supposed efforts of the Congress leaders to form political alliances with other reactionary political parties, thereby betraying the Congress cause namely that of complete independence.

Another resolution urged the Executive Committee of the party to sponsor amendments to the Congress constitution removing the manual labour franchise, compulsory wearing of khaddar for office-bearers and limitation of urban representation to 25 per cent.

The Conference also passed resolutions demanding an unemployment insurance of Rs. 15 per month free milk for the children of the unemployed free housing for the unemployed, and free compulsory primary education at State expenses. The Conference denounced the aggression of Italy and expressed sympathy with Abyssinia. It also denounced the present halting policy of the League of Nations. It fixed February 2 as J. C. Chatterji Day to express sympathy with the Kakori prisoner on hunger-strike at the Lucknow jail for the removal of various disabilities of the political prisoners.

### IN MEMORIAM

The untimely death of Maulana Arit Hasevi after a prolonged illness is grieved by all Congressmen who know his contribution to the work of the Congress in Delhi for the last 20 years and his devotion to the cause of the country. He was one of the strongest adherents of the Congress among our Muslim countrymen.

The death of Shapurji Saklatvala has removed a great champion of the submerged and exploited classes all over the world. He was a stalwart among the communists outside Russia and was an active member of the British Communist Party at the time of his death. He was an Ex M. P. from the constituency of North Battersey. In him India mourns the loss of a fearless champion of her cause in England.

## GOLDEN JUBILEE

### OF THE

## Indian National Congress

The Indian National Congress completed the fiftyth year of its existence on December 28, 1935. Under instruction from the Congress Working Committee the occasion was celebrated throughout India amidst scenes of great enthusiasm. The decision of the Working Committee was taken somewhat late yet the spontaneous response from the public to the call to participate in the golden jubilee was beyond expectation. The nature and extent of the celebrations have shown the strength of the Congress as an organisation. Its influence permeates even the remotest corners of this vast country and completely establishes its claims as the representative organisation of the Indian Nation and the non official Parliament of India.

The programme of the Working Committee was adhered to in every place in every detail. Many localities, however added to this local programme suited to local circumstances and the inclinations of local workers. The item of illuminations was made op-

tional by the President at the last moment. Yet it was a great success wherever it was adopted. The Provincial Congress Committees made arrangements to celebrate the event in a fitting manner not merely in their provincial centres but in the remotest villages. Khaddar and village industries exhibitions and Jubilee melas were organised at a number of places including Bombay, Karachi, Hyderabad, Nagpur, Gauhati, Jorhat, Muzaffarnagar and Lucknow. In many places sports and games, kavi sammelans, musharas and musical concerts were organised. In a number of places according to the old Indian custom the poor were either fed or alms were given to them. Children fetes were organised and sweets given to them.

To commemorate the occasion the A I C C office published a History of the Indian National Congress 1885-1935, written by Dr Pattabhi Sitaramayya, a member of the Working Committee, and a series of Congress Golden Jubilee Brochures dealing with some of the political, economic and social problems facing us to-day. The series deal with the following subject—

- 1 Satyagraha—in Gandhi's own words
- 2 Village Industries and Reconstruction—by Bharatan Kumarappa
- 3 Some Aspects of Khadi—by Gulzarilal Nanda
- 4 Rural Indebtedness in India—by Prof K P S Malani
- 5 The Public Debt of India—by J C Kumarappa
- 6 Indian Tariff Policy
- 7 Public Services in India—by Prof K T Shah
- 8 Defence of India—Problem of Nationalization—by Nirod Chandra Chaudhury
- 9 Woman in India—by Rajkumari Amrit Kaur, and L. M.
- 10 Indian Transport—by Dr H R Soni, M. A., D. Sc., (London)
- 11 To this was added literature published by various provincial and local Congress Committees dealing with the Congress, its history and activity within their respective jurisdictions and the politico economic problems of the country.

Municipal and local bodies at various centres participated in the celebrations and helped to make the function a grand success. Hundreds of influential public bodies conveyed their felicitations and messages of goodwill on this auspicious and memorable occasion. As required by the programme settled by the Working Committee, Babu Rajendra Prasad, President of the Congress, issued the following message, which was read in public meetings throughout India—

"This day fifty years ago the National Congress met for the first time in Bombay with only a sprinkling of delegates who could hardly be called elected representatives, but who were nevertheless true servants of the people of India. This Congress had the freedom of the people as its definite goal but 'freedom' was an undefined word. It has now obtained a concrete shape, it means Poorna Swaraj or complete independence, it means control by the chosen representatives of India. It means freedom not for one class or race or clan, but freedom for all, including the poorest of her people. In order to end the exploitation of the masses political freedom must include real economic freedom. The means for the attainment of that goal are also well-defined. They must be legitimate and peaceful. These means have been knowingly adopted by the Congress since 1920. In their most acute form they have included non-violent non-cooperation, and civil, i.e. non-violent resistance under which thousands of people, men and women have suffered imprisonment, confiscation of property and loss of their cherished possessions. Many have suffered personal injury, even death, through firing, lathi charges, and the like. For reasons well-known to all Civil Resistance has been suspended.

"From a very small beginning the Congress has now become the most powerful political organisation representing the masses of India, and has branches covering the whole of the country from the Himalayas in the north to Kanya Kumari in the extreme south. Its present programme includes membership in the legislatures, revival of and encouragement to hand-spinning and hand weaving; promotion of useful village small industries, reconstruction of village life in its economic, educational, social and hygienic aspects; removal of untouchability, promotion of inter-communal unity, total abstinence, national education, spread of useful knowledge among adult population, organisation of industrial labour, organisation of peasants, and improvement of their economic condition by the revival of village industries.

"The Congress thus covers about every sphere of national activity. It has had the adherence of some of the noblest of men and women of India as also of the masses, who have responded to the Congress call to sacrifice. Such an organisation may well be proud of its achievement. But this is no time for jubilation, or resting

on our ears. The work yet to be accomplished is great and needs much patient toil, endless sacrifice and unflinching determination.

"Let us bow down our heads to all those men, women and children—known and unknown—who have laid down their lives for the freedom of India, who have suffered woes and privations, and who are still paying the penalty for loving their motherland. Let us to-day also in grateful reverence recall the services of those who sowed the seeds of this mighty organisation, who nurtured it with their unremitting labour and sacrifice."

"This small seedling that was planted fifty years ago, has now grown into a mighty tree with branches spreading over this vast country and has now blossomed in the sacrifices of countless men and women. It is for those that are now left behind to nourish the tree by their further services and sacrifice so that it may bear fruit and make India the free and prosperous country that Nature intended her to be. Let this be a day of remembrance and of renewing our resolve to win Poorna Swaraj, which, in the late Lokamanya's words is our birth right."

#### Living Ex Presidents

The following is a list of the living ex-Presidents —

	NAME	YEAR	PLACE
1	Sir Dinshaw Wacha	1901	Calcutta
2	Pandit Madan Mohan Malaviya	1909	Lahore
		1918	Delhi
3	Syt. C. Vijayaraghavachariar	1920	Nagpur
4	Maulana Abul Kalam Azad	1923	Delhi (special)
5	Mahatma M. K. Gandhi	1924	Belgaum
6	Mrs. Sarojini Naidu	1925	Cawnpore
7	Syt. S. Srinivasa Iyengar	1926	Gauhati
8	M. A. Ansari	1927	Madras
9	Pandit Jawaharlal Nehru	1929	Lahore
10	Sardar Vallabhbhai Patel	1931	Karachi

#### The Celebration in Bombay

It was at Bombay that the Congress met for the first time in 1885, and Bombay made special preparations for celebrating the jubilee. It secured for the celebrations the Hall of the Gokuldas Tejpal Pathshala, Gowalia Tank and the large open space near it where the first Congress had been held. A Swadeshi exhibition of articles of Indian manufacture was held and opened by Sir C. V. Raman. A separate exhibition of Khadi and village industries was also organised and opened by the Congress President on the 27th December. Both these exhibitions attracted a very large number of visitors.

#### Visit to Sir Dinshaw Wacha

On the 27th Babu Rajendra Prasad accompanied by Mrs. Naidu and Acharya Kripalani paid a visit to Sir Dinshaw Wacha, the oldest living ex-president of the Congress. Sir Dinshaw owing to his old age and illness was physically unable to move. All that the party could therefore do was to have his darshan and make their pranam as he was resting in his sick room in the afternoon.

#### Flag Hoisting Ceremony

A bugle call from the Congress House at 5 o'clock on the 28th morning announced the day, and the Golden Jubilee celebrations started all over the city in accordance with the announced programme. "Prabhat Pherns" started from various parts of the city and woke up the citizens with their music. The various parties after wending their way through the different streets converged on the Gokuldas Tejpal Pathshala, Gowalia Tank, where the first Congress session was held in 1885. A hundred feet high flag staff was erected here for the hoisting of the national flag. Babu Rajendra Prasad, Mrs. Sarojini Naidu, Sardar Vallabhbhai Patel, Shri K. F. Nariman, the General Secretary, Syt. J. B. Kripalani and other leaders of the Congress assembled in the decorated flag post area, and at the stroke of eight the Congress President hoisted the national flag.

Babu Rajendra Prasad paid a tribute to those who had made great sacrifices and even lost their lives in trying to protect the National Flag and affirmed that the Congress would protect the honour of the flag at all costs. The singing of "Bande Mataram" brought the function to a close.

### Unveiling of Memorial Tablet

The unveiling ceremony of the marble tablet to commemorate the first session of the Indian National Congress which now decorates the front wall of the Gokaldas Pathshala was performed by Pandit Madan Mohan Malaviya. Mrs. Naidu presided over the function. The tiny hall of the Pathshala was overcrowded with people of all communities and all shades of political opinion, men and women. The speeches on the occasion were relayed by loud speakers to a large gathering outside. Mrs. Naidu presiding said —

"To-day marks an epoch in the history of the nation which must move every Indian's heart with pride and pleasure. I am myself deeply stirred to have been chosen to preside on this historic occasion. It is the chivalry of the Indian people that the only Indian woman who had the proud privilege of presiding over the Indian National Congress should have been asked to preside over this memorable ceremony to do honour to these numerous patriots, famous and anonymous, who have built up the Indian National Congress, which is the symbol of India's invincible fervour to win Swaraj, and who have aroused patriotic feelings in us and made us articulate. In this very hall, fifty years ago, a small group of patriots met together and sowed the first seed of the harvest which we are about to reap. Let us honour those men who were the standard bearers of India's freedom."

Pandit Malaviya in the course of his address while performing the unveiling ceremony referring to those who were despondent because the Congress had not achieved its goal said — "I look at it from a different view point. In the battle for freedom there are bound to be ups and downs. Think of the conditions fifty years ago and compare them with to-day's conditions. You will then see what the Indian National Congress has really achieved. It may not be the goal of Swaraj, but nevertheless it is something of which every Indian ought to be proud."

Shri M. S. Aney, Sir G. Pradhan, Maulana Shaikat Ali, Dr. Gilder, Shri K. Natarajan, Sri Jannadas Mehta, Sri R. K. Bakhale, and Miss Maniben Kara also offered their felicitations to the Congress.

The inscription on the marble tablet reads as follows —

"In this historic hall on the 28th December 1885, a band of gallant patriots laid the foundation of the Indian National Congress, which during these fifty years has been built up stone by stone, tier by tier by the faith and devotion, courage and sacrifice of countless men and women as the pledge and symbol of their invincible purpose to secure to India, their motherland, her legitimate birthright of Swaraj."

This tablet is placed to commemorate the occasion of its golden jubilee.

In the afternoon a large procession led by Shri K. F. Nariman, Mayor of Bombay, started from Azad Maidan and terminated at Gowalia Tank Maidan where a mammoth public meeting was held presided over by Babu Rajendra Prasad, the Congress President. Besides Babu Rajendra Prasad, the meeting was addressed by Sardar Patel and Mrs. Sarojini Naidu.

On the 29th December a cosmopolitan dinner was held at the Congress House in which about 1,000 people including 500 Harijans participated.

### Martyrs' Day

The 21st of December 1925 was observed in Bombay as the Martyrs' Day. Sardar Vallabhbhai Patel, Srimati Sarojini Naidu, Acharya Kripalani, and Syt Surendra Mohan Mahtta made stirring speeches in memory of the martyrs.

### Special Meetings

Separate meetings of women, students and labourers addressed by the leaders present in Bombay, were organised on different days of the celebrations. Municipal concerts, games, and physical competitions were also organised on different days at various places.

### Suburbs of Bombay

The Jubilee was also celebrated with befitting grandeur in all the suburbs of Bombay. The leaders assembled in Bombay participated and presided over the functions in the suburbs.

### Provincial Celebrations

The Golden Jubilee of the Indian National Congress was celebrated in all the provinces with great enthusiasm. Though the official programme was only for one day the 28th of December in many of the provinces the celebrations were continued for several days extending in some cases to a week.

The universal and uniform celebrations of the 28th of December were everywhere on an unprecedented scale. The dawn broke with Prabhat Pheris, the volunteers carrying national flags marched through all the principal streets and roads waking the citizens from their sweet slumber with joyous music. Thousands of people came to pay homage to the national flag at the flag hoisting ceremony which was everywhere performed between 8 and 8.30 A. M. Suitable speeches were made by the local leaders on the occasion.

The people expressed their love and allegiance to the great national organisation by generally decorating them. The bazars, streets and roads in many places had flags and festoons, triumphal arches and bunting. In the afternoon the procession passed through these decorated streets, terminating in the evening in huge meetings. The processions everywhere had a touch of local colour and fancy. Here they were headed by decorated elephants there by camels elsewhere by ghosawars. In Delhi the procession was led by women-ghosawars. At several places photos of the great leaders carried in decorated carriages and cars or on elephants headed the processions. These were followed by men and women volunteers. The saffron coloured sarees of the lady volunteers lent colour to the processions. In all places unprecedented crowds came out to watch and to swell the procession as it passed along. National songs punctuated by appropriate slogans and shouts of 'Jai' to the different leaders marked the route of the processions.

In many big cities according to the instructions of the President social functions were organised where people of different schools of political thought met together. At such functions invariably speeches commending the work of the Congress and congratulating it were made.

The evening meetings everywhere were unusually big. The President's message was read with due solemnity and heard with rapt attention. Speeches by Congress leaders and sometimes by Congress sympathisers were made on the achievements of the Congress during the last 50 years. The people were exhorted to stand fast by the national organisation and devote themselves to the present programme of the Congress and to make an unprecedented effort to reach the goal of complete independence in the near future. In some places as in Madras resolutions expressing unswerving allegiance to the Congress were passed. Some meetings commenced with prayers which were sometimes silent. Where there was no special day for martyrs, stirring speeches were made in the evening meetings extolling the great sacrifice of those who had made the last great sacrifice of laying down their lives for the cause of the country.

The other programmes of the week included such items as ladies meetings which gave them opportunity to meet and hold discussions on important topics of social and political interest and also to hear speeches by eminent speakers. Students day was observed at Delhi and other places. National games were organised and awards were distributed to the best players. At places sweets and flags were distributed to the school children. Kavi Sammelans were held where poets entertained the audience with recitations of their compositions. At Priti-Bhojans at various places many persons took their meal together irrespective of religious, social and caste distinctions. Rich and poor, Brahmins and Harijans all happily partook of the food provided for the occasion. Athletic competitions were held and feats were shown by the wellknown athletes and their parties all over the country. Musicians and singers assembled at the music competitions and conferences and gave beautiful performances. Besides these at places Bhajan mandals were organised in Gujarat along with Bhajan-mandals Garba parties gave folk dance and group dance demonstrations.

In many places the celebration included special meetings of labourers and Kisans. A special day for martyrs was observed at places to honour the known and unknown heroes who had laid down their lives in the struggle for freedom. Memorials were raised and tablets fixed in Congress buildings, in commemoration of their patriotic services to the nation. At Nagpur, Cawnpore and several other places certificates were given to eminent public workers for the meritorious service rendered to the nation's cause. Though illuminations were made optional, several localities presented a gay bright appearance with thousands of twinkling lights on the night of the 28th.

At Madras along with the Congress Jubilee the Jubilee of the oldest Congress leader, the grand old man of Madras, Shri Vijayraghavaiah, the oldest living ex-president of the Congress after Sir Dinshaw Wacha, was celebrated. An address was presented to him eulogising his record of devoted and unbroken service of 50 years to his motherland.

Khadi, Village Industries and Swadeshi Exhibitions were held all over the country. Congress flags, lockets and souvenirs were sold by hundreds of thousands throughout the week. Everywhere local Congress literature was published and distributed at national cost. In Karnatak 40,000 copies of a brief history of the Congress in the province was distributed. Bihar issued a volume of a fair size recording the history of the Congress in the Province. Some districts, tahsils, and cities issued similar histories of their respective localities.

In short the people everywhere entered into the spirit of the function and conducted the celebrations with befitting solemnity, grandeur and spontaneous gaily, rejoicing and enthusiasm. North and South, East and West all over India it was a day of universal festivity and all this unmistakably proved the great hold of the Congress upon all sections of the people specially the masses.

It has not been possible in this note to record all that happened everywhere. We have therefore to content ourselves with this brief narration connected with this memorable occasion.

## The All India Congress Committee

Madras—17th & 18th. October 1935

The question of the acceptance or non acceptance of office under the Reforms was the main subject considered by the All India Congress Committee, which met at the "Congress House", Madras on the 17th October 1935.

The first item on the agenda was confirmation of the minutes of the last meeting at Wardha in July-August 1935. Acharya Kripalams pointed out that the minutes of the meeting had already been circulated. The minutes were taken as read and were confirmed.

Mr. Mehar Ali (Bombay), speaking in English, suggested that the agenda of the meetings of the Committee should be made available to members sufficiently ahead of the meeting. He stated that the agenda for the day had been placed in their hands only that morning and it was very difficult for members coming from distant parts of the country to acquaint themselves with the items of business.

Mr. Jammatal Bajaj remarked that he thought that the convention was that those who knew Hindi or Urdu should speak in either of the two languages.

Swami Govindanand: Then why is the agenda printed in English?

Mr. Kripalams: It is a mistake that we did not have it in Hindi (laughter).

The President: As far as possible we must conduct our proceedings in Hindi. But as a concession to those Madras friends who may not follow a discussion in that language, I shall, wherever necessary, give a translation of the proceedings in English.

Regarding the point raised by Mr. Mehar Ali, Babu Ramendra Prasad stated that as far as possible they would try to make the agenda available to members sufficiently early. The difficulty in the present case was in getting at the members individually. He would certainly bear the suggestion in mind.

### Rules of Procedure

The rules of procedure approved by the Working Committee were then placed before the meeting for consideration.

The following are the rules of procedure as finally approved by the Working Committee.

1. The A. I. C. C. may be summoned by the President or the Working Secretary to meet at any place within the country and as often as required by the Working Committee.

2 The notice of a meeting of the A. I. C. C. shall be issued at least fifteen days before the date of meeting except in case of emergency when a meeting may be summoned by a notice of seven days only.

3. The President and the Secretaries shall be the sole judges of the occasion for summoning an emergent meeting.

4. The A. I. C. C. shall meet on a joint requisition addressed to the Working Committee by not less than fifteen members. Such requisition shall specify the purpose for which the requisitionists desire a meeting of A. I. C. C. At such meeting additional items of business may be brought up for consideration provided due notice thereof has been given to the members.

5. In the order of business, the draft resolutions of the Working Committee shall have the claim of priority.

6. The order of the rest of the business of the meeting shall be settled by the President.

7. The Working Committee shall assign at least one clear day for resolutions of which due notice may have been given by the members of the A. I. C. C., other than those of the Working Committee.

8. The order of precedence of resolutions by private members shall be determined by lot.

9. Notice of resolutions by private members should be given at least seven days before the meeting.

10. It shall be in the discretion of the President to allot the time for speakers moving either substantive propositions or amendments or generally taking part of the debate.

11. Resignation from the A. I. C. C. shall be placed before the President who will accept it and declare the place of the members on the A. I. C. C. vacant.

12. Any vacancy in the A. I. C. C., by death, resignation, removal of a member or otherwise will be filled up by the members of the Provincial Congress Committee by election from among themselves.

13. Objections to elections will be dealt with in the provinces in accordance with rules framed in this behalf by the Provincial Congress Committee.

14. Appeals will lie to the Working Committee against decisions on objections to elections by Provincial Congress Committees, or against their refusal or failure to give decisions.

15. Any appeal preferred to the Working Committee will ordinarily be decided by the Tribunal appointed in accordance with Article XI, h of the Constitution. It will be open to the Working Committee to decide such dispute if it considers it inconvenient or impracticable to convene a Tribunal in terms of Article XI, h.

16. The decision of the Election Disputes Tribunal or of the Working Committee, as the case may be, shall be final.

17. Complaints against action by individual members of any Congress organisation or of any Congress Committee will be dealt with in the provinces in accordance with rules framed by the Provincial Congress Committees.

18. No subject which can be ordinarily dealt with by a Provincial Committee shall be referred to the A. I. C. C. except through the Provincial Committee concerned.

Where a Provincial Committee refuses to forward any appeal or representation to the A. I. C. C. the aggrieved person or committee shall be entitled to approach the President for order directing the Provincial Committee to forward the said appeal or other representation. The President may, after considering the said representation, pass such order as he may think fit. The Provincial Committee will thereupon be bound to carry out the order of the President.

19. An appeal will lie to the Working Committee against any decision of a Provincial Congress Committee, or in the event of its failure or refusal to give decision.

20. The Working Committee will either decide such disputes itself or will appoint any other person or persons to decide them. The decision of the Working Committee, or of the person or persons appointed by it, as the case may be, shall be final.

Mr. Gossai (Maharashtra) moved four amendments whose effect, he explained, was made certain that the business for the meetings of the Committee would be communicated to the members at least thirty days before the meeting and amendments invited from them ten days before the meeting.

The amendments were duly seconded. A discussion followed.

Acharya Kripalani said that at present it was customary for the office to give more than fifteen days' notice. It should, he said, be realised that it would not be possible to give a month's notice and if the office should be bound by such a rule,

the result perhaps would be that emergency provisions would be used "We are living in rather interesting times" he said, "though it is now comparatively peaceful. At any time we may start the movement and it will become impossible for the office to function. We always send resolutions to members as they go to the press. I do not think any very revolutionary agenda is dumped upon the House without any previous information. Generally, most of the topics would have been discussed for months before the Committee is seized of them. Therefore, I hope you will allow the rules to remain as they are with the modifications that we have accepted."

The President said that the general nature of the business could always be made known to the members. But to adopt the amendment would result in several practical difficulties. Ordinarily the business for any particular meeting was known to members long before the meeting, though not the exact terms in which the agenda would be drawn up. It did not seem to him that any real or serious inconvenience was caused in this direction. He would repeat the answer he had given to Mr. Meherally and say that they would strive their best to make the agenda available to members individually, if possible, or through the Press, sufficiently early.

*Swami Govindanand* suggested that a rule might be incorporated to the effect that, as far as possible, the main items of business be circulated to members together with the text of resolutions of private members as they came in.

The President held a brief consultation with the Secretaries and suggested that the following note be added at the end of Rule 2:

"As far as possible, subjects to be discussed at the meeting of the A. I. C. C. shall be circulated along with the notice convening the meeting."

"Is Mr. Gosavi willing to accept it, in substitution of the amendment which he has proposed?" the President enquired.

Mr. Gosavi: I am satisfied.

*Srimathi Kamaladevi* entered a protest against the procedure. "If the Working Committee is of opinion that the All-India Congress Committee is not competent to come to any decision on every important question that comes before it, the agenda becomes a sheer farce," she said.

The President: I do not follow.

*Srimathi Kamaladevi* repeated her protest and added that that was their experience at Jubbulpore.

The President: In spite of all that you have said, I have not followed you. It has not been suggested by any of us that the All-India Congress Committee is not competent to discuss any motion and take a decision thereon. I do not think there is any justification for bringing that charge. (Mr. Setyamurti and others: Hear, hear.)

The amendments proposed by Mr. Gosavi were by leave withdrawn.

Rules 4, 5 and 6 were passed without change.

Mr. Yusuf Meherally read the following resolution:

"The Bombay Provincial Congress Committee recommends to the A. I. C. C. to frame rules providing that Provincial and District Committees should give notice of any resolutions they may desire to have discussed at the next annual session of the Indian National Congress at least six weeks prior to the date of the session and that such resolutions should be circulated by the office of the A. I. C. C. to all Provincial Congress Committees to be placed before the Provincial and District Congress Committees for their opinion which should be forwarded to the A. I. C. C."

Mr. Yusuf Meherally enquired if Mr. K. F. Narayan was moving the amendment.

*Acharya Kripalani*: How can he move it, the Working Committee, of which he is a member, having rejected it?

Mr. Yusuf Meherally continuing said that there was a widespread feeling among Congressmen that though a certain amount of centralisation in Congress politics was desirable and necessary, it should be a democratic centralisation and that the Working Committee should not always work from the top but that it should also consult its constituent bodies as to what their opinions and feelings were, so that the opinion of the Provincial and District Congress Committees might also be known all over the country.

Mr. A. Kaleswara Rao said that he liked to second the amendment. It was a very good suggestion. He did not understand why the Working Committee had rejected the suggestion.

Mr. Gadgil: "Because it is good."



Mr *Kaleswara Rao*, continuing, said that it was necessary that opportunity should be given to various Provincial and District Congress Committees to suggest topics for discussion by the Congress. Of course, the Subjects Committee of the Congress would meet, but that would only be three or four days prior to the holding of the Congress.

Mr *Satyamurti* said that he failed to understand the exact scope of the resolution. Was it contemplated, he asked, that unless the Provincial and District Congress Committees gave notice of resolutions six weeks before the annual session of the Congress, they could not come up for consideration and would lapse for want of adequate notice? Then, what about private members' rights? According to the Constitution, the Subjects Committee, which was the A. I. C. C., had the right to place resolutions for discussion before the open session of the Congress, which meant that very often they had two days notice or even one day's notice. The only new thing, which the resolution contemplated, then, was this: The moment the A. I. C. C. office received notice of resolutions, they must be circulated to the various Provincial and District Congress Committees for eliciting their opinion, which, again, should be forwarded to the A. I. C. C. Thus, Mr *Satyamurti* thought, was not a very healthy convention. He had attended Subjects Committee meetings and was conversant with the procedure. There was not one important question that came before the Congress, which Provincial and District Congress Committees had not considered in advance. Concluding, Mr *Satyamurti* said that the resolution under discussion would not serve the purpose, which the Bombay Provincial Congress Committee had in view. No defect had been apparent in the working of the present rules, and he, therefore, appealed to the mover of the resolution to withdraw it, failing which, he would appeal to his colleagues to reject it.

Mr *Gadgil*: We want to hear Mr *Nariman*, who is the head of the Bombay Provincial Congress Committee, on the resolution.

The President:—As a member of the Working Committee, Mr *Nariman* accepts the view of the Working Committee, who have rejected the resolution.

Swami *Gowindananda*: So far as I know, there is a convention up till now for Provincial Congress Committees to forward their resolutions and recommendations at the time of the annual session of the Congress, and these resolutions are always circulated to the A. I. C. C. members. I feel that the existing convention will serve the purpose, because under it the A. I. C. C. and the Congress are in possession of the considered opinion of the Provincial Congress Committees on the burning questions of the day. Therefore, I appeal to my friend to withdraw his resolution.

The President pointed out that there was a rule under Article 9 clause B which stated that the A. I. C. C. shall meet in Subjects Committee at least two days before the annual session.

Dr *Pattabhi Sastharamiah* said that in view of this rule, the resolution before the meeting could only be an amendment of the Constitution.

The President stated that the resolution in effect restricted the right of the Provincial Congress Committees to recommend any resolution.

Mr *Yusuf Meherally* said that the word "ordinarily" could be used in the resolution and he would accept any amendment to reduce the period from six to three or four weeks, though he, for his part, would stick to six weeks.

Mr *Jairamdas Daulatram* said that the constitution as now framed, provided that the various Provincial Congress Committees might make certain recommendations before the annual session. There was nothing in the constitution to prevent the Provincial Congress Committees from making rules in their own constitutions, providing that before the annual session, the Provincial Executive should place important recommendations before the District Committees, receive opinions from them and send them to the A. I. C. C. after consideration. The resolution before the meeting was really an amendment of the Constitution. It was not a question of six weeks or three weeks, but a question of flooding District Congress Committees with the recommendations of other District Congress Committees.

Mr *Gadgil* said that the object of the mover of the resolution was that there should be enough time for the Working Committee and the A. I. C. C. to know the opinions of the various Provincial Committees. It was neither too much nor too little to ask for six weeks time and politics did not move so fast. He concluded by saying that the suggestion made in the resolution might be kept in view and followed.

Acharya *Kripalani*: If a Provincial Congress Committee wants to circulate any of its resolutions it can. Can that?

Mr *Yusuf Meherally*: Why don't you make it mandatory on the Secretary of the particular Provincial Congress Committee?

*Acharya Kripalani* You want your weight to be added to your proposition?  
*Acharya Kripalani* proceeding, said that the procedure contemplated in the resolution would make them mere post boxes. It was absolutely of no value.  
*Swami Govindanand*, at this stage suggested that the proposition might be put to vote

*Mr T Viswanathan* said that the purpose of the resolution would be served if the Secretary of the A I C C gave publicity in the Press to the resolutions as and when they were received

The *President* Is it suggested that publicity to the resolutions should be given in the Press before they reach the office of the A I C C?

*Mr Viswanathan* said that the publication of the resolutions of one Provincial Congress Committee might help their Committees to discuss similar subjects

*Mr Yusuf Meherally* said that the General Secretary should be proud to act as a Post Office.

*Acharya Kripalani* I have found other effective post offices and as such these might be allowed to act

The amendment was then put to the meeting, and declared lost 9 voting for it and 22 against

The *President* then permitted *Mr Sardul Singh's* amendments to be moved.

The first was to provide for the payment of return inter-class fare and tonga expenses to the members of the A I C C by the Provincial Congress Committees and the Reception Committee of the Congress formed for the time being

*Acharya Kripalani* said that it was a matter for the Provincial Congress Committees and the Reception Committee.

The amendment was deemed to be lost for want of a seconder

*Mr Sardul Singh* moved an amendment that where a vacancy arose in the A I C C membership of any province, the vacancy should be filled by the appointment of the person next to the one standing last among those elected

*Swami Govindanand* suggested that article 15 provided for the filling up of vacancies

The *President* pointed out that the amendment would lead to difficulties in cases where a member resigned on account of differences of opinion. The amendment if adopted might in certain cases result in a person holding the opposite view being appointed, where it might be advisable to consult the constituency

The amendment was put to vote and lost. The rules were then approved.

### Burma and the Congress

The *President* next introduced the subject of Burma.

"Before we go to the next resolution, I desire to say one thing" he began. "Our friends from Burma are anxious to catch the steamer leaving Madras for Rangoon. *Mr Dadaabhanje* had given notice of a resolution, which the Working Committee considered. It has adopted a modified resolution which satisfies him and *Mr Ghare Khan*

The *President* next read the resolution adopted by the Working Committee —

"The Working Committee assures the Burma members of the A I C C that notwithstanding the constitutional separation of India and Burma, the Indian National Congress will continue to watch with sympathy and interest the political situation in Burma and in view of the impending separation, it appeals to the Indians settled in Burma and Burmans to continue to bear towards each other the same goodwill and friendly relations as hitherto"

*Mr Dadabhanje* then made the following statement

"We are kindly called by the Working Committee at 3 p m on the 16th instant and given an opportunity to state our case. After obtaining the information its members felt they required, the Working Committee assured us that the Congress had always taken keen and active interest in the problem of Indians overseas and that it would surely continue to do so. They, however, felt the appointment of the enquiry committee contemplated in the resolution of which we had given notice in the circumstances, and in view of the resolution of the Working Committee on the subject, we have agreed to withdraw our resolution"

*Mr Dadabhanje* requested the Committee to endorse the Working Committee resolution. The resolution was put to the House and carried.

## Acceptance of Office

*Acharya Kripalani* then placed before the House the following resolution of the Working Committee on the question of acceptance or non-acceptance of offices under the Reforms

"Considering the long interval of time that is bound to elapse before the next general provincial elections under the new constitution and the uncertainty of political conditions during this long period, this Committee is of opinion that it is not only premature, but also inadvisable and impolitic to come to any decision on the question of acceptance or non-acceptance of office at this stage and therefore it affirms the resolution of the Working Committee passed at Wardha on the subject. At the same time, the Committee desires to make it clear that it sees no objection to the question being discussed in the country."

In moving the resolution, *Acharya Kripalani* said

"I have very little to say in recommending this resolution for the adoption of the House. It is substantially the same as the one passed in Wardha by the Working Committee. We for some time boycotted the Legislative Councils and have also refused to accept offices under the present constitution. A new Constitution is sought to be imposed upon us which is supposed to give us what is called Provincial Autonomy wherein all the Ministers will be nominated by the Governor it is supposed, from those who command a majority in the Legislature. As our old resolutions stand, we are precluded from accepting offices under the present constitution. Unless we adopt some resolution lifting the ban upon office acceptance, the ban upon offices will continue by implication under the new constitution.

"There is a volume of opinion in the country as you know, that these offices may be accepted in order to implement our resolution to reject the Constitution. So far as I know there is no desire in any Congress quarter to accept offices in order to work the constitution. There are yet others of our friends who think that acceptance of office would amount to working the constitution.

"The Working Committee has thought that there is a great period of time between the new elections to the Provincial Councils and now, that in the meantime many things may happen, and that therefore it is premature at this stage to decide the question one way or the other. Such was the resolution it passed at Wardha. It also placed a kind of ban upon itself. It was a kind of self-denying ordinance upon its members, not to discuss this subject of acceptance or non acceptance. The present resolution places no ban either on ourselves or upon any other people. No ban was intended to be placed upon any person excepting the Working Committee. The Working Committee naturally has put a ban upon itself, because it would be unseemly if one member of the committee went to the people giving one opinion, and another member went giving another. Ordinary courtesy requires that we should not indulge in a discussion in public until the proper time comes. We hold rightly that this is not the proper time, as I said, because there is much time before the elections in the provinces under the new constitution will come about. Also, we think that if we give our opinion at this stage it would be impolitic and injurious. These are our views and you have also discussed the subject. It has been before you. So I do not think it is necessary for me to say much upon this excepting one other word.

"We have many times decided upon matters of emergency without waiting for the meeting of the Congress. The ban upon offices was put by the Congress. Ordinarily, it must be removed by the Congress. It is true that in an emergency the A. I. C. C. does to a certain extent deal with subjects that have been dealt with by the Congress. The Lucknow Congress is expected to meet before the new constitution in the provinces is put into working order. There is absolutely no emergency for us to arrogate to ourselves the right that rightfully belongs to the Congress.

"Therefore we say that this subject may be discussed by the Congress and in the meantime we formulate no opinion about it.

"With these few words, I place this resolution for your acceptance."

Mr *K. F. Narayan* seconded the resolution and said he would reserve his remarks to a later stage of the discussion.

Mr *T. Viswanatham* (Andhra) said that what Mr Kripalani had moved was no resolution. He had only placed an office note, an endorsement of the Working Committee on resolutions which might have been moved by others at the meeting. There was no substance in the resolution. When a proposition was seriously put forward, there was the Working Committee taking them nothing definite, but characterising it as premature. Was it sympathy with Ethiopia? It was premature. Was

it secession from the League? It was premature. Was it the subject of Indian States? It was premature. The Working Committee itself was a premature thing (laughter). He would have welcomed a definite lead from the Working Committee instead of the present motion. He suggested that resolutions given notice of might be taken up and the motion of the Working Committee be moved as an amendment thereto. The Working Committee had published their resolution in the press long before it had been circulated to the members, there had been time enough for opinion to harden as also sufficient propaganda. Well, let the Working Committee state it was inadvisable how to discuss it. He would only say that had they known that the question would not come up before this meeting many of them would have preferred to stay away because there was absolutely no business to be transacted here. "This is a burning question, especially in Madras, as some people would like to put it," he said, "but those who have political imagination and sense of what is coming would see that it is important not only for this province but for the whole country."

The President pointed out that the resolution had not been brought before the House as a surprise. It was at Wardha that the resolution had been before the country all these days.

Mr. Viswanatham: It has not come as a surprise, it is no resolution at all.

The President: Vote it down then.

Dr. P. Sitaramayya: Is it open to those who have given notice of resolutions to bring them as amendments to this motion?

Mr. S. Satyamurti expressed his view that it was open to the House to reject the motion. Then the whole question would come before the House. They could not take up the other resolutions as amendments.

Mr. A. Kaleswara Rao: The Working Committee's motion is virtually an adjournment motion.

The President: You are asking for a ruling on a hypothetical matter. This is a substantial resolution before you. It is not a resolution for adjournment. It is a positive motion that the consideration of the subject is premature and not in the interest of the country.

Mr. N. V. Gadgil enquired whether discussion on the merits of the proposition would or would not be relevant to a discussion on the present motion.

The President: It would not be relevant. The President then stated:

"As the question has been raised by Dr. P. Sitaramayya, I have considered the resolutions given notice of. I have decided that Mr. T. Prakasam's motion may be treated as an amendment. The others cannot be treated as such. If the motion of the Working Committee is thrown out, then the others will come up for discussion. If it is passed, then they cannot be taken up. Though Mr. Prakasam's motion is really a negation of the Working Committee's motion, I still will stretch a point and permit him to move it."

Dr. Pattabhi Sitaramayya: In that view, will the non-official resolutions be blocked or will they come up on the non-official day?

The President: We shall see about it to-morrow.

Acharya Kripalani: They will be ruled out of order, if and when the House has voted on the resolution and amendment.

Mr. A. Kaleswara Rao: It is premature to consider it to-day? (ironical laughter)

Mr. T. Prakasam next moved:

"That the question relating to acceptance of office under the Reforms Act be taken into consideration by the A. I. C. C. and such decision as may be arrived at be recommended to the Congress."

Mr. Prakasam thanked the President for allowing him to move his resolution, and said that at this stage it was really extraordinary that the Working Committee should have put forward their resolution in that form. It was extraordinary because of what had happened since the lifting of the Congress ban on Council-entry, on the petition by Dr. Ansari, Mr. Bidhan Roy and Mr. S. Satyamurti to Mahatma Gandhi.

"What was the situation now?" asked Mr. Prakasam. "To-day Mr. Satyamurti who pleaded so eloquently for acceptance of offices even from within the jail walls, has suddenly become silent. He says he can wait until the session of the Congress. Mr. Bidhan Roy who was so enthusiastic in the petition has left the field, and so also Dr. M. A. Ansari."

Mr. Govindanand: Did they send a petition for acceptance of office?

Mr. Prakasam: They did express their opinion.

Proceeding, Mr. Prakasham closely examined the reasons mentioned in the resolution for postponement of a decision on the question of acceptance or non-acceptance of office to the Lucknow Congress. He contested the proposition that it was premature to decide the question here. What was the uncertainty about political conditions? Were they affected by the Ethiopian war? (A voice: Yes) The Working Committee were afraid of dealing with the question and giving their opinion thereon. What was the harm in giving an opinion? And the Ethiopian war was not going to affect them, because it was sure to be confined only to the two countries involved and there was no ghost of a chance of a general war breaking out. Moreover, the Ethiopian war was practically finished.

Mr. Govindasami: It is a matter of opinion.

Mr. Prakasham: I am entitled to place my opinion before you. The future will decide whether you are right or I am right.

Continuing Mr. Prakasham referred to the fight which the Congress had been giving to the Government and to the Gandhi-Irwin Pact. They had allowed things to drift, with the result that instead of a constitution which ought to have been drawn up on a quarter of a sheet of paper, they had a stupid Act occupying 500 pages, with all sorts of provisions, which had the effect of keeping the communities in the country apart from another. That was the direct result of the policy of drift. Even to-day on the question of acceptance or non-acceptance of office, what did the Working Committee say? They wanted to postpone the decision, on the ground that it was premature, impolitic and inadvisable to express an opinion now. They ought to keep the country in suspense for six months until the Congress met. Let them say, "Reject office," if that was the proper course.

It was wrong to say that it was now premature to decide the question, Mr. Prakasham proceeded. The interval of time between now and the elections, was not much at all, having in view the magnitude of the work which needed to be done. Moreover, they had to face the menace of corruption, to which Mr. Sayamurthi had referred so often in connection with the local board and municipal elections. Elections to six district boards were to take place on the 28th of this month. It was stated that because rich anti-Congressites who could spend money freely, were standing in certain places as candidates, rich Congressmen should be set up to fight them. The Congress would rather fail in elections than try to succeed with money. He knew the conditions in the country, and twelve months from now was not a long period.

"I don't care two brass farthings for offices," Mr. Prakasham warmed up. "Decide one way or the other. That is my plea. No lead is now given by the Congress. People want light, and you do not give it. What do you expect them to do? What do you expect the workers in the districts to do?"

Mr. Prakasham next pointed out that they had to look at the question from the point of view of national unity. They must prevent the mischief sought to be created by the Reforms Act, by deciding to enter the legislatures and having a big Congress Party composed of representatives of all communities, Muslims and Harijans, in particular. That, in his opinion, was one way of solving the communal question. At least up to that point they could go. He had, however, no hallucinations about offices or the emoluments attached thereto.

Again, the resolution stated that it was not politic to decide the question now. What stood in the way? The Reforms Bill had been placed on the Statute Book. There was not the ghost of a chance of a comma or full stop being changed. It was therefore, for them to devise means to destroy the Act or render it nugatory. Though they had already decided to capture the legislatures, they would not move their little finger to improve the Delimitation proposals. Congress members nominated to the Committees non-co-operated. Was there any justification for taking up such a position? Mr. Bhulabhai Desai in his first interview given at Ottensand, saw nothing wrong in Congressmen serving on the Committee. But in a later interview, he placed a ban on them. So much so, their case went by default. All the mischief was being wrought there. The road to the Legislature was cut up, but they would not move a foot forward to circumvent the obstacles. Did they hope to cross over on aeroplanes?

Having taken up a position in favour of capturing Legislatures, they must betimes deal straight with questions flowing as a natural consequence. Mahatmaji recently came out with a statement that 'council country' was the 'Congress Dharma' at present. Was the Working Committee resolution consistent with such statement? It was, therefore, essential that the Working Committee in the light of happenings since the Wardha meeting, should revise their decision and give a direct lead to their country.

"You (the Working Committee) are banking apparently on the vote of the Tamil Nadu," Mr Prakasam observed "It is Tamil Nadu that started the agitation for Council entry, before the Government of India Bill was passed into law. Many conferences were held and so many resolutions were passed in the Tamil district. In this very Congress House under the presidentship of Mr C Ramalinga Reddi, a resolution was passed definitely in favour of acceptance of offices. Now the President of the Tamil Nadu Congress Committee, representing those friends, declares that he can afford to wait. (Laughter)"

**Mr Satyamurti** Only until the Lucknow Congress

**Mr Prakasam** What do you gain by such waiting? You prepared the country for acceptance of office and now you say you are not in a hurry. It is practically a vote of censure upon all of you who passed those resolutions. It is not an ordinary matter nor one merely of counting of votes.

**Mr Satyamurti** What have Messrs Nageswara Rao Pantulu and Bulusu Sambamurti declared?

**Mr Prakasam** I do not mind it, nor Dr Pattabhi's swearing at it from within the Working Committee. Concluding, Mr Prakasam said that they must conduct public business in a manner which would inspire confidence in the country, particularly at this critical time. The subject was one on which the House should take a decision and which should not be left to the Congress.

**Mr A Kaleswara Rao** seconded the amendment of Mr Prakasam. He said that there was no question of prestige involved in differing from the decision of the Working Committee. The A I C C ought to give a determined and a definite lead to the country which was so necessary at this juncture. How long were they going to postpone the evil day?

**A Voice** Evil?

**Mr Kaleswara Rao** How long are you going to be nervous?

**The President** The limit is set in the resolution.

**Mr Satyamurti** aided. Till March next.

**Mr Kaleswara Rao** How long are you going to be afraid to face the country with your decision?

Proceeding, **Mr Kaleswara Rao** pointed out there was no justifiable ground for believing that the elections would not come off in November next year or soon thereafter. It was practically certain elections were not going to be further postponed.

**Mr Satyamurti** Question

**Mr Kaleswara Rao** I question the view expressed by some that election would not come off until after the Budget of 1937.

**Mr Kaleswara Rao** said that if a decision on this first rate issue was not taken now it would lead to uncertainty and confusion and put the Congressmen and organisations out of action for many months.

"If you merely give liberty to the country to discuss the question, without yourself deciding it now, you are not helping the Congress and the country. It would lead to undesirable controversy and range the pro-office-wallahs and anti-office-wallahs in warring camps."

The Committee then rose for luncheon interval and met in the afternoon at 3 p m.

The president placed before the House the resolution of the Working Committee and **Mr T Prakasam's** amendment, and said that the subject was open for discussion.

For some time no member rose to speak.

**The President** What, nobody wants to speak?

**Dr Sitaramayya** Everybody is waiting for a fuller House! (Laughter). Why not Swami Govindanand begin? His loud voice will attract those outside the hall!

The President waited for another five minutes and still no one rose to speak.

The President remarked, "Nobody seems to be willing to speak!"

**Dr P Sitaramayya** Will you be so good as to ask that the amendment of Mr Prakasam be read out to the House. We shall form our ideas about it!

**A member** Why, it has been done already!

**Dr Sitaramayya** Something must be done.

**The President** The amendment is, "that the question relating to acceptance of office under the Reforms Act be taken into consideration by the A I C C. and such decision as may be arrived at be recommended to the Congress."

**Mr N V Gadgil** Is it in order? It is a direct negation of the proposition moved by Mr Kripalani.

The President I was myself doubtful about it. But I allowed it to be moved as an amendment because in this case there is that last clause which says that the recommendations may be conveyed to the Congress. Therefore, I allowed it. After all, a vote has to be taken one way or the other.

Mr Goswami asked if Provincial Congress Committees would have freedom in the matter.

The President It allows freedom for the provincial Congress Committees, sub-committees and individual Congressmen. We have left it in that wide form to give an opportunity and every body who wishes to discuss and formulate opinion.

Mr N V Gadgil, supporting the motion of Mr Kripalani, said he did so for quite different reasons than those mentioned in the motion. It appeared to him that the impression went abroad that the question would not come up for discussion at this meeting of the A. I. C. C. Further, the interview given by the President sometime back strengthened that impression. Further, every body felt that in Madras the dice was loaded in favour of acceptance of office and when it was stated that the question would not come up here, many people who otherwise would have attended this meeting, stayed away. He thought it fair to them that the proposition now moved by the Secretary of the Working Committee should be accepted. So far as his own province was concerned, he felt that everything was in a state of drift. It would be desirable that they should be given time to take the view of the masses who really counted. The question of Brahmin and Non-Brahmin, he was sorry to confess, was in existence in his province and he felt that unless they accepted office, the Congress would have no majority in the Bombay Presidency.

Continuing, Mr Gadgil said that personally he held the view it would be dangerous to accept offices under the new Constitution. In any case, he said, there would be sufficient time between the Lucknow Congress and the elections, to prepare the ground and establish contact with the masses. If a decision was not taken now, he said, it might lead to confusion for a time, but it would ultimately help to make line of advance viable.

Mr S Satyawarti made an impassioned appeal for support to the Working Committee resolution. "I am supposed to be the villain of the piece in this, shall I say, drama of acceptance or non-acceptance of office", Mr Satyawarti began. "I plead guilty to that charge I happened to be the villain of the piece when the Council-entry programme was on the horizon. I am aware of the curses which fell on our devoted heads. I live in the hope that such curses would prove to be blessings."

Mr Satyawarti said that they ought not to fear unpopularity for the time being, so long as the cause they were advocating was just. He had learnt the lesson from Mahatma Gandhi that a person seeking to serve his country ought not to be afraid of unpopularity. Mr Gadgil had remarked that the dice was loaded in Madras. Whether the dice was loaded or not, he would say with all emphasis that they did not want to play the game here. It would be played at Lucknow. Let not the charge be made that in Madras they played the game with loaded dice.

Proceeding, Mr Satyawarti said that the mover and the seconder of the amendment had not paid sufficient attention to the resolution of the Working Committee. The resolution gave full freedom for discussion of this vital question. What it deprecated, (in his judgment rightly), was a decision on it. After all, so long as they had the right to discuss the question it seemed to him that the resolution was quite satisfactory. He was one of those who thought that the logical sequel of what Mahatma Gandhi called the Parliamentary mentality which had come to stay in the Congress, was the acceptance of positions of responsibility, unless the Congress, by a positive resolution, prohibited it—as it did in the case of the Swaraj Party programme. He knew his esteemed friends of the Working Committee took the other view. For practical purposes, however, the difference in view point did not count much, because in Lucknow the Congress would consider the whole question *de novo* and come to a decision without being bound down by previous commitments one way or the other.

Mr Satyawarti then went on to say that Mr Prakasham had made some good-humoured jokes at his expense. (Dr Fatiabhi At my expense also). He wanted to tell him that there was a method in his (speaker's) madness. If he preferred to remain silent to-day and had remained silent during the past six months, and if he preferred to support the Working Committee Resolution, he would assure Mr Prakasham and all the other friends that his views on the office acceptance question remained absolutely unchanged. He fully believed that the time was with them and whatever be the ultimate decision of the Congress, the masses would stand by them. He had tour-

ed the Tamil Nadu through and through and he knew how the masses felt, and what they wanted the Congress to do

"Supposing," he said, "in the Lucknow Congress, the view that he represented was not accepted, he would not be sorry, not because he would consider such a decision to be right, but because they would have ample time to discuss the question from every point of view and the Congress, the ultimate authority to decide on this fundamental question."

"My own feeling is that on this matter of far-reaching importance, we should not be content with a bare majority. Whatever programme is decided on, it will not have any practical value, unless we have an overwhelming majority of Congress opinion behind it. To get a snatch vote will not be consistent with the high purpose in view. I, therefore, prefer to wait so that I may carry with me an overwhelming majority of Congress opinion in favour of acceptance of offices."

Last night the leading Indian paper in Madras and one of the leading papers in India, "The Hindu", wrote a leading article "Lift the Ban to which I feel I am bound to give an answer. I personally feel that if there were a motion to-day merely for lifting the ban and postponing the question of actually deciding 'to accept or not to accept' offices to Lucknow, it will not make in practical politics any difference from the resolution now placed before us by the Working Committee. Sardar Vallabhbhai Patel has taken the view that the ban on office continues. But I humbly and firmly differ. From the point of view of practical politics the whole question may be discussed from now and decided at Lucknow on its merits. Therefore it does seem to me that the point of view which "The Hindu" urges is practically met by the Working Committee resolution, namely the grant of freedom of discussion and the postponement of a decision on this question to the Lucknow Congress."

There was one point which Mr. Prakasam made which also I must answer. This discussion will cause heat, he said. But may I put it to him that a decision now one way or the other will cause more heat? Neither the party which believes in acceptance of office nor the party which believes in non acceptance is going to take the decision of this Committee as the last word on the subject. It will be a direct encouragement to those who want to carry on the campaign.

It seems to me, therefore, that the only chance of deciding the question more or less finally without leaving any trace of bitterness, is for us not to decide this question but to carry on a discussion and to decide it at Lucknow when, I know, if it is carried by an overwhelming majority, even the minority will be tempted to acquiesce in it.

Concluding, Mr. Satyamurti said "Personally it seems to me that the highest interests of the country may be served by our agreeing to postpone the decision to the Lucknow Congress, carry on discussion in a gentlemanly, friendly and manly spirit. I want to strike only on one personal note. I propose to continue my silence for some weeks longer. I want to watch the reactions to this debate and this decision on the country. Let people say what they like. I shall open my mouth on 1st December when the election of delegates and of the President takes place. It is too much to ask my colleagues here and elsewhere to remember if some of us advocated acceptance of office, we are doing it with any motive? Public life would become impossible, if every moment of our lives we are attributing motives to the actions of others. I plead for tolerance, charity and understanding, and I ask you to remember that we do not compete with others and we do not conflict with others in their desire to break this Constitution and bring the goal of Purna Swaraj very near achievement. From that point of view, I hope the discussion will be carried on in a sportsmanlike manner. If I have no doubt we shall come to the right conclusion at Lucknow. May God grant us tolerance, charity and understanding to carry on our work. I support the motion of the Working Committee."

Mr. T. Viswanathan stated that they should cease drifting in regard to the matter and come to a decision straightaway.

Swami Gopandam said that while he agreed with the resolution in its purpose he felt its wording was unfortunate. He endorsed the appeal of the previous speakers that no uncharitable motive should be attributed by either side to those holding different views.

Mr. Jai Prakash Narain said that the present meeting of the A. I. C. C. was not fully representative and it would not be fair to take a decision on such a momentous question at this meeting.



Mr J. Daulatram said that the meeting was just as well attended as any other previous meeting of the A. I. C. C. had been and it was not fair to characterise it as unrepresentative.

Mr Kripalani spoke in support of the motion.

Mr Kripalani said that it was not merely necessary that they should take the correct decision but that they should take it at the right time. The Congress was a party of direct action, and the need for taking decisions at the psychological moment was great. If they were to succeed as a party of direct action they should be careful and deliberate in all these vital matters of tactics. He therefore appealed to the House to accept the proposition of the Working Committee.

The proposition was then put to vote. Mr Prakasam's amendment was lost only 3 voting for and about 20 against. The main proposition of the Working Committee was passed, only two dissenting. The Working Committee's resolution was carried.

#### Indian States

Sardar Vallabhbhai Patel next moved the resolution of the Working Committee regarding the Congress attitude towards Indian States. It ran as follows—

"Although the policy of the Congress regarding the States in India has been defined in its resolutions, a persistent effort is being made by or on behalf of the people of the States to get a fuller declaration of Congress policy. The Working Committee therefore issues the following statement concerning the policy of the Congress with regard to the Princes and the people of the States.

"The Indian National Congress recognises that the people in the Indian States have an inherent right to Swaraj no less than the people of British India. It has accordingly declared itself in favour of establishment of representative responsible government in the States and has in that behalf not only appealed to the Princes to establish such responsible government in their States and to guarantee fundamental rights of citizenship, like freedom of person, speech, association and the Press to their people, but has also pledged to the States people its sympathy and support in their legitimate and peaceful struggle for the attainment of full responsible government. By that declaration and by that pledge, the Congress feels that even in their own interests the Princes will be well advised to establish at the earliest possible moment full responsible government within their States carrying a guarantee of full rights of citizenship to their people.

"If should be understood however that the responsibility and the burden of carrying on that struggle within the States must necessarily fall on the States people themselves. The Congress can exercise moral and friendly influence upon the States and this, it is bound to do wherever possible. The Congress has no other power under existing circumstances although the people of India whether under the British, the Princes or any other power are geographically and historically one and indivisible. In the heat of controversy the limitation of the Congress is often forgotten. Indeed any other policy will defeat the common purpose.

"With regard to the impending constitutional changes it has been suggested that the Congress should insist upon certain amendments of that portion of the Government of India Bill which deals with the relation of the Indian States to the Indian Federation. The Congress has more than once categorically rejected the entire scheme of constitutional reforms on the broad ground of its not being an expression of the will of the people of India and has insisted on a constitution to be framed by a Constituent Assembly. It may not now ask for an amendment of the scheme in any particular part. To do so would amount to a reversal of the Congress policy.

"At the same time it is hardly necessary to assure the people of the States that the Congress will never be guilty of sacrificing their interests in order to buy the support of the Princes. From its inception the Congress has stood unequivocally for the rights of the masses of India as against any vested rights in conflict with their true interests.

Mr Patel, speaking in Hindi, explained the position of the Working Committee and said that the Congress had all these years declined to interfere in the affairs of Indian States. From time to time statements had been made on the subject, discussions had gone on and criticism levelled against the attitude of Congress on this matter. At Wardha, after deep consideration of all aspects of the question, the Working Committee took up a certain attitude. He would place before them the declaration then made for their adoption. It was intended to clear up the position of the Congress in regard to this question. If any one of them intended to make a substantial change in it, it could be done only at the next session of the Congress. A decision on the question of

acceptance of office had been deferred till the Lucknow Congress. This was a much more serious matter and any material change of policy should be made only at the Congress Session.

Mr. *Deshpande*, seconding the resolution in a Hindi speech, said that it was wrong to suggest that the Congress and the Working Committee were indifferent to the interests of Indian States subjects. The interests of Indians, wherever they lived, were a matter of great concern to the Congress. But the Congress felt, while they could not directly interfere in State affairs, that whatever beneficial results were achieved in British India was sure to produce welcome reactions in the States also. The best way of attaining their object was to strengthen the hands of the Congress instead of paying into the hands of persons who raised false cries of Congress being indifferent to the interests of States subject with the ulterior object of weakening it. The Indian States subjects organisations could engage themselves in the work of a constructive nature in their States. He appealed to them to try to stand on their own legs and strengthen themselves. The sympathy and good will of the Congress would always be with them.

Mr. *Yusuf Meherally* moved a number of amendments.

The first was to add the word "mainly" after the word "fall" in the sentence "It should be understood, however, that the responsibility and the burden of carrying on that struggle within the States must necessarily fall on the States people themselves".

The second amendment was to add the following at the end of the same sentence "who as local people would primarily be responsible for conducting any movement, just as the local people whether in any State or any province of British India would be primarily responsible for conducting any movements in their respective local areas".

The third amendment was to substitute "ordinarily will" for "can", in the sentence "The Congress can exercise moral and friendly influence upon the States and thus, it is bound to do wherever possible."

Another amendment was to change the next sentence as follows "The Congress has mainly to concentrate on the struggle for freedom from foreign domination and exploitation, under the existing circumstances."

Mr. *Meherally* also moved to omit the following "Indeed any other policy will defeat the common purpose."

The last amendment of Mr. *Meherally* was to have the following inserted in the resolution in substitution of the last paragraph:

"With regard to the future constitution of India, the Congress wishes to assure the people of the States that (a) in the Constituent Assembly when it comes to be formed the States' people will be given representation on the same basis as the people of British India, and that (b) in case or until the Constituent Assembly is not formed, it will not accept a Federal Constitution which does not embody in itself elementary rights of citizenship for the States people which does not provide for the protection of those rights by the Federal Court in case of encroachments thereon and which does not give right of popular representation to the States people in the Federal Legislatures, which is otherwise not acceptable to the States people. Further, it is hardly necessary to assure the people of the States that the Congress will never be guilty of sacrificing their interests, in order to buy the support of the Princes. From its inception the Congress has stood unequivocally for the right of the masses of India, as against any vested rights, in conflict with their true interests."

Mr. *Meherally* said that his amendments were not moved in any spirit of carping criticism, nor were they intended to make any violent change in the policy of the Congress. His motions merely sought to clarify that policy. He went elaborately into the subject and appealed to the Committee to understand the spirit in which the amendments were suggested. He said it was their duty at this juncture to stand shoulder to shoulder with the peoples of Indian States. Sardar Vallabhbhai Patel and Seth Jammal Bajaj were well aware of the conditions of those people. Mr. C. Rajagopalachari had remarked that States people were the real untouchables. They had no rights, they had only duties.

The President: Is there any seconder?

Srimati Kamaladevi sprang up to second it.

Captain Asadkhan (Rawa State) in a Hindi speech said he accepted the assurance of Mr. Patel that the Congress was genuinely interested in the welfare of States

subjects. He was confident that the Working Committee and the Congress leaders like the one recently made by Mr. Bhulabhai Desai created alarm in the minds of the States' subjects and doubts as to the attitude of the Congress. He, therefore, considered it necessary and advisable that the Congress should clearly state its position in reference to States' subjects. Further, it should consider what its attitude should be in regard to the carrying on of its constructive work in the States, especially in cases where States' authorities resorted to obstruction of such constructive and ameliorative activities by Congressmen and organisations of States subjects.

The President wished to know the sense of the House as to how long they would sit. He said that some of the non-official resolutions tabled for discussion the next day had been covered by the resolutions adopted that day. Would the House like to stop at that stage—it was, he pointed out, nearly 7 p.m.—and resume discussion on the morrow, on the understanding that the rest of the day would be available for non-official items other than those already covered? Under the rules, one non-official day had to be allotted and it was for them to consider his suggestion or decide to sit on Saturday also.

Several members No, we should close tomorrow

Mr. A. Kaleswara Rao If, after tomorrow's discussion, there are still non-official items left over, we may sit the day after

The President I think the suggestion which I made is quite fair, but I am entirely in the hands of the House

Dr. Sataramayya We should also think of your state of health. We see you are not well.

The President I would much rather you do not take that into consideration at all.

Mr. Satyamurti But, we must. Moreover, we have a big tour programme for you.

The President Would you like to rise now meet again to-morrow to resume the discussion and sit at one stretch to finish the business?

The House expressed itself in favour of the suggestion and the President then adjourned the meeting.

## Second Day—Madras—18th. October 1935

Discussion on the resolution of Mr. Vallabhai Patel on the question of Indian States subjects, was again resumed to-day.

Mr. Syed Razim (Ajmere) said that it would be extremely inadvisable for the Congress to decide to interfere in the affairs of Indian State subjects. There was perhaps no Indian State, of which it could be said that the subjects were free from difficulties and if the Congress should decide now to interfere directly on their behalf it would lead to numerous practical difficulties and complications.

Sardar Gopal Singh (Punjab), speaking in Hindi, said that in his opinion the attitude of the Congress as represented by the resolution was not the right one for them to take. To say that the Congress would exercise "friendly and moral pressure on States was on a par with Indians expressing sympathy with Abyssinia in her struggle with Italy—it could be but empty and unsubstantial. Was not India as much the mother-land of States' subjects as that of British Indians? They were all fellow-countrymen and they should promote the mutual ties in many States high-handed action was being taken by authorities without any let or hindrance.

The speaker then proceeded to detail certain incidents which, he said, had occurred in a Punjab State, when the President, interrupting, asked the speaker to confine his remarks to general questions involved and not to refer to individual States.

Mr. Gopal Singh said he bowed to the ruling. He only wished to point out that in some States, the subjects were unable to live in safety of person and property. Their self respect was often endangered. His request would be that any decision the Committee might come to should be reached after full consideration of all aspects of the question.

Shrimati Kamoladevi, in supporting the amendments, said that after the speech of Mr. Mehrally, there was no further persuasion necessary to be convinced as to the advisability and the imperative need for the Congress taking a clear and definite attitude with regard to the carrying on of nationalist work in Indian States. Notwithstanding its profusion, the Congress had been taking an indifferent attitude when

it came to the question of actual work. It tried to give the impression that the old policy of non-interference in Indian States was still in existence. If the Congress really stood for complete independence, and was still not prepared actively to help the people in the Indian States to gain freedom, she thought that the Congress was not really serious about winning complete independence. It could not, indeed, call itself the Indian National Congress, if it left out of account nearly one third of India. If it stood for the masses, as against vested interests, it should not fight shy of active participation in the struggles of Indian States. She did not see any difference between the struggle in British India and the struggle in the Indian States. She thought they were more than convinced that Indian Princes were the obvious allies of British Imperialism. When the British first came into India, the feudal order as represented by the Indian Chiefs, was on its last legs, and in a tottering condition. But it was in the interests of British Imperialism that these Princes should be bolstered up in order that they might serve as pillars of British Imperialism in India. If that was so, why should they fight shy of participating actively in the struggle which concerned people in the Indian States?

One prominent Congressman had stated that Indian States were not burdened with foreign domination and a solution of the problem of Indian States people was much easier. Foreign domination was there in Indian States. Indian Princes existed to-day because of the support they had of British Imperialism. But, apart from that, let them consider the fact that any sort of political agitation in the Indian States was muzzled—one could not convene even a public meeting or conference, thank God, that was still possible in British India.—They declaimed against the Criminal Law Amendment Act because of the restrictions it imposed on the citizens and the Press in particular. But the condition in Indian States, was much worse. The subjects of Indian States were, she said, 'slaves of slaves'. Any Nationalist organisation, any organisation which called itself an organisation of the masses, could not ignore the millions of people living under much worse disabilities than the people of British India. She hoped the Congress would come out courageously and boldly declare its decision to come forward and help in the struggle to be carried on in Indian States.

They were to-day pledged to a Constituent Assembly. She failed to see how a national Constituent Assembly could be convened when they did not create the necessary situation, opportunities and facilities for people in States to have their representatives also on it as part of one and indivisible India. There was no use merely saying on paper that India was one and indivisible, while they were certainly making artificial distinctions and barriers. The resolution of the Working Committee was so cautiously worded that it came to nothing. In case a serious situation arose in any State and the subjects appealed for help of the Congress, they would sit quiet or at the most perhaps pass a pious resolution of sympathy. It seemed to be the work of 'some wonderful lawyer'.

The President "There are unfortunately many on the Working Committee, who were lawyers."

Dr P. Sitararamaya "It is that she is bemoaning!"

Continuing, Srimati Kamaladevi said that the National Flag was banned in some Indian States. It was impossible to carry on any kind of nationalist work or work even for responsible government under the monarchical form inside the States. These States had openly ranged themselves against the nationalist movement and the nationalist organisation of India. They saw what restrictions were placed on people by the States during the Civil Disobedience movement. There was no doubt that Indian States stood most definitely against any democratic or mass movement.

The Congress resolution was an appeal to nobody. They might just as well appeal to Great Britain and wait till she granted India full freedom as wait for Indian States to grant their subjects responsible government. She would therefore plead with them to adopt the amendments suggested which were very modest, but which would still be an advance on the present attitude of the Congress. It was with some diffidence and hesitation that they pleaded every time before the Working Committee. But they had obstinately decided and made up their minds not to change their attitude. She would appeal to the A. I. C. C. to enable the Congress to make at least the modest advance suggested by the amendments. Otherwise, she said, all their talk of independence would become sheer mockery.

The resolution, said Srimati Kamaladevi, also seemed to be an expression of helplessness and impotence on the part of the Congress. This helplessness had been colouring their imagination far too much and far too long. Simply because they did not

achieve all they wished, or independence over-night through the civil disobedience movement, it did not mean that all the enthusiasm, strength and courage that led to the launching of the movement was now gone. Let not the Working Committee create this kind of helpless feeling. It was very bad psychology and worse tactics to keep continuously saying they could not do anything. For an organisation working for freedom of the country, anything and everything ought to be a practical proposition. They were not appealing to the Congress to assist the States' subjects in any movement of a revolutionary character but merely to help them to march shoulder to shoulder with British Indians and to gain their minimum demands, so that when India became independent, it should not be a force of one section enjoying privileges and the other living in the old dark feudal age.

Mr N V Gadgil supported the amendments of Mr Meherally. He said that some fatality seemed to dog the resolution of the Congress on their attitude towards the Indian States. A number of interpretations was put on it and it was aggravated by the speech of Mr Bhulabhai Desai in Mysore. He would much rather that such a speech had not been made. It had created needless controversy, with the result that the Working Committee at Wardha was obliged to issue a statement, which the A. I. C. C. was now asked to endorse. When that statement was issued at Wardha, there was a slight change from the position which was taken up at Jubbulpore. Even now he thought that considering all circumstances, the Wardha statement was good, and this resolution to day should be passed. At the same time he wanted to associate himself with some of the ideas expressed by Mr Meherally, who had made it abundantly clear that the amendments were not made in a spirit of carping criticism. He could assure Mr Gangadharrao that they should not give a bundle to their enemies, and he did not desire that the Committee should be divided, because it served no purpose. Unless the Congress gave its unanimous support to whatever policy the Indian States people wanted to follow, it was of no practical use. An assurance from Sardar Vallabhbhai Patel would be sufficient to persuade Mr Meherally to withdraw his amendments to all clauses of the Resolution except to the last. To-day he said they were not asking the Indian National Congress to commit itself to a definite policy of action and they merely wanted a declaration. States people could only look to the Congress for the assurance. They could not go to other parties or to the British Government. A little more generosity and good-will to them would bring much more loyalty and support to the Congress from the masses in the Indian States.

Mr B Narasimham said that the Committee would be doing a real injustice to the States people, if it went back on the earlier assurance. He requested the Working Committee to reconsider its resolution and withdraw it.

Mr A Kaleswara Rao supported the amendments as being modest and reasonable and asked the Committee to tackle the problem boldly. While they say they were fighting for the sovereignty of the people of this country, why they should leave out the States people who formed a fourth of the entire population? The Working Committee's resolution was very tame. It expressed the hope that the Princes would be friendly to them and that they would be responsive to the advice tendered by the Congress leaders. That was impossible to achieve, knowing as they did the relationship between the Princes and the British Government. The Working Committee resolution showed that the Congress existed for the British India and merely patronised the States' people. Such an attitude could not bring freedom for the whole country. Let them fight shy of the amendments, smelling socialism therein. The best way of fighting socialism was to incorporate most of its principles into the Congress constitution and programme.

Mr Bhatti moved for closure which was put and carried by a large majority.

Sardar Vallabhbhai Patel, replying to the debate, said that the speech of Mr Gadgil had made his task much lighter than it would have otherwise been. If Sardar Gopal Singh had been present at Jubbulpore at their last meeting, he was sure that that gentleman would not have made the speech he did that morning. There had, he continued, been no occasion that he could remember when the Congress Working Committee or the Congress had lent support to any struggle that had been carried on in any Indian State by the States' subjects. Much had been made of the clause drafted at Calcutta or Nagpur and the dropping of the clause relating to non-interference, at the instance of Pandit Jawaharlal Nehru. How was the omission interpreted by the conduct of Working Committee since that change was effected, for it was really from the conduct of the Congress executive that the interpretation should be made? He

could not recollect one single instance in which the Congress had interfered with States' affairs after that change had been effected. They asked 'What is the value of your lip sympathy or moral pressure.' His answer would be 'Well, if you do not value it, I am not anxious to give it, but do not give any promise which you may not be able to carry out. The Working Committee was the executive responsible for the carrying out of any policy they might lay down. So, when they laid down the policy, he would only suggest that they should see that they did not lay a responsibility on the Working Committee which was beyond their strength. It might be argued that the responsibility was mainly that of the States' people. But who was to decide the import of 'mainly' or 'largely'. Every time the question came up for consideration, this question of 'mainly' and 'largely' would crop up for discussion. Supposing in Kashmir a struggle was started purely on local initiative and they bore a large burden for a time and at a certain stage they called upon the Congress to support them and participate in the struggle—what should they do? It was only by way of instance that he said this. He was conscious of conditions in certain Indian States which had been described by speakers as 'chronic patients'. Nobody was unaware that in certain States conditions were far worse than they could mention. But was not the remedy they were suggesting worse than the disease? Should they not also take into consideration the incapacity of the Congress executive? When they themselves said clearly they would not be able to bear the responsibility, the House should not feel offended. They should not feel that the Working Committee was seeking to impose its will on them, nor should the House try to force on the Working Committee its will in the face of its open expression of incapacity to bear the burden. He appealed to the House to realise the responsibility involved in the matter. The Calcutta resolution, he said, had been consistently interpreted to mean nothing but friendly and moral support.

After referring to the negotiations carried on by representatives of States with Congress leaders, the Working Committee and Mahatma Gandhi, Sardar Patel said that the charge that the Congress or the Working Committee attempted to go back on the policy recently adopted, was unfounded. The Congress had strength at one time, but even at that time, they were cautious. Could they now afford to be less so? The resolution, it was complained, was drafted by over-cautious lawyers. Well, it was the misfortune of lawyers to draft cautiously and for others to interpret them. The resolution was of a nature that in drafting it every word used should be most carefully weighted. They were dealing with their own chiefs and princes, all Indians, some of them might be good, others bad and some others indifferent, there might even be devils among them, he did not know. He knew none of them and had no friends among them. He did not wish to make friends with them for to make friends with Princes was a heavy responsibility. But he could tell them that he was interested in the subjects of Indian States, more perhaps than anyone else.

He would also tell them that Gandhi was himself the native of an Indian State. He was the man who had laid down the policy of the Congress in this matter. Indian States people's organisations had held discussions with him throughout and up till now. They had often distrusted the Congress executive and gone to him.

He knew that some friends were for the abolition of Indian States. One member had stated that in two or three years there would be no Indian State on the map of India. Well, if he was so sure, why then, he might as well wait for those two or three years, for what was three years compared to the 150 they had waited? (laughter) But if they wanted a considered opinion from the Congress on this matter again, let them wait till the Lucknow session and if the Congress, in its collective wisdom felt called upon to make a change, certainly they would also find the executive with the capacity to shoulder that burden. There was no hurry now. Nor would it be proper, as Mr. Gadgil had said, to take a tactical decision on so important a question. He put it plainly at Jabulpore that the resolution was one for which everybody would readily vote, because nobody would have to act up to it, but the Congress would be put to difficulties. Other people want the Congress to decide and take responsibilities which they were themselves unwilling or unable to do.

Sardar Vallabhbhai said he had noticed a persistent attempt to drive the Congress and the Congress executive and Congressmen to fight battles in the Indian States by certain people who would not themselves start the struggle or do the work. He said not understand this mentality. Every week he had seen in the columns of a responsible journal persons calling on Congressmen to explain why they did not do in the States what they were doing in British India. It was these that would vote for a resolution of this nature. There were also certain friends who had no responsibility in the matter and voted for the resolution which committed not them but the

Congress. The Congress was certainly wise and consulting the best interests of the Indian States subjects in taking up its present attitude.

Mr Vallabhbhai said he had experience of struggles in Indian States. There were many practical difficulties in carrying them on. There were, besides, cases in which the States subjects themselves did not desire their interference, let alone a few who reside in British India and called on the Congress to help the subjects in States, and had no greater right to call themselves States subjects than having been born in an Indian State. When they, as Congressmen, wished to adopt a course of action, they should ponder fully over the responsibility they undertook.

They were assured at Jubbulpore, he said, that the resolution then put forward did not mean that the Congress would be called upon to start or carry on struggles in Indian States. But immediately after, within three months of that, there were Congressmen giving interpretations to the resolution each in his own manner. The earlier assurance seemed to have been forgotten. He would ask them whether they thought they were as strong as they were, was it their policy to interfere at the time when they were strong? Why then think of a change now, when they knew they were not quite so strong? Let them not, realising their own limitations and weakness, make lightly any promise which they might not be able to fulfil. As the Congress organisation gathers strength in British India, its strength would be reflected in the Indian States also. They knew what the position was in 1931, during the Truce period. Then the Princes thought it better after all, to make friends with the Congress. When Princes felt they should remain on friendly terms with the Congress Congress workers could certainly exercise friendly and moral pressure for the amelioration of the States people. But to day, the Congress office was under a ban. Why? Was it not because the Congress organisation was weak and not because of any change of policy? To day, they would be doing a disservice to the Congress organisation if they forced on them the resolution when they stated plainly that they could not shoulder the responsibility.

As for assurances, the assurances they had put into the resolution was more than enough. Why should they create distrust that the Congress leaders would not act up to their assurances? And besides, who knows the leaders of to-day might not be the leaders of to-morrow! It had stood for the masses and would continue to stand for the masses. "After all," said Mr Vallabhbhai "who is the Congress? You are the Congress and therefore to commit the Congress to a prospective constitution or constituent assembly or something in which a proportionate representation is to be provided for, is neither wise nor in the interests of the people whom you want to serve. If British India were free, States people would automatically be free. If to-day, or soon British India were offered freedom, there would be people who would certainly accept it. When British India was a strong entity, it could certainly influence the whole country but if they should say "Bind yourself down to such and such a detail of the future it would not be wise. Let them not think that because the Working Committee brought forward a proposition, it should be considered with a little suspicion. They should understand that the Working Committee was but the reflex of the Congress and in it would be reflected the strength or weakness of the Congress. When they charged the resolution of the Working Committee with containing no opinion, perhaps they meant that it did not reflect their own opinion. It was impossible to reflect in a resolution everybody's opinion the general sense only could be embodied. That should not irritate them, on the other hand that should make them pause and reflect. If in spite of all he had said, they thought they should accept the amendment let them but he would suggest that it would be best to adopt the resolution moved by him on behalf of the Congress executive.

#### PRESIDENT'S STATEMENT

The President before proceeding to put the motions to vote made the following statement explaining his position in the matter:

"The position of the President of the Congress," he said, "is peculiar. He is not only the Speaker of the House but he is supposed also to be the executive head of the organisation for the time being. As such, his is the responsibility to give effect to the policies and to the resolutions which are passed by the A. O. C., the Congress and the Working Committee. It is because I feel that responsibility that I desire to add a few words to what has been said by Sardar Vallabhbhai Patel in connection with the attitude which the Working Committee has adopted on this resolution.

"I may tell you that at Wardha and again here in Madras, we considered the statement which we issued at Wardha in great detail for several hours. It is perfectly true that every word of it has been carefully weighed. Every word of it has been carefully drafted because the statement was considered to be an important and weighty one and therefore should not contain anything which was not fully considered and weighed before they were uttered. We gave the same careful consideration to the amendment which has been moved by Mr. Meherally because we had notice of it. Also, because, we were aware that it represented the views of the executive of the States' Peoples Conference. After giving our fullest consideration to it, we felt that it was necessary in the interests both of the Congress and even more of the people of the States that we should after giving our fullest consideration to it, we felt that it was necessary in the interests both of the Congress and even more of the people of the States, that we should stick to the statement which we had issued. I will give you one or two instances which have occurred within recent times.

"You know that for several years some little constructive work is being attempted in several of the States. In some places, we have got the support of the States also to that constructive effort. In other places we are meeting with difficulties. We have not so far as has been correctly pointed out by Sardar Patel taken any active interest in any political agitation in any of the States. But in some places where something has been done, not directly against the States but something in furtherance of the Congress programme as distinct from anything done against the States themselves, there also we have experienced difficulties. Many of these difficulties were related to the House by Mr. Avadhesh because he has experienced them himself. Recently we have had two instances of what may be considered high handed action in two States. In Sakkar State, we read reports of firing and all kinds of zoolum perpetrated there. Recently we read some thing similar if not worse, about Loharu. The way in which we proceeded to deal with these matters ought to serve as some indication of the way in which we propose to work in future. In the case of Sakkar we did not pass any formal resolution although we were approached and asked about it nor did I or the Working Committee issue any formal statement about the happenings there. That does not indicate that we were not in touch with the happenings there or that we were unacquainted with what had occurred. We felt that any formal resolution of condemnation was of no use to the people who had actually to suffer all that they did. We, therefore took what we considered to be the better course of approaching the authorities in an indirect way through our friends who are supposed to have some influence there. I may tell you that our efforts have not gone in vain. Things are progressing and we hope that things will be settled to the satisfaction of the people concerned. Of course, those who are dead cannot be brought back to life, the tyranny that was committed can not be undone now. But so far as the future is concerned we hope we shall be able to secure conditions which would prove satisfactory to all. In the case of Loharu, a similar attempt was made, but there, I regret to say we have absolutely failed. There has been absolutely no approach or indication of anything in the nature of a settlement.

"I have given you these two recent instances, but there are other instances of previous attempts, when I did not have to deal with the matter myself some of which succeeded and others did not. But, if we had gone about the business of making formal protests, appointing enquiry committees and going into the matter as if it was something we were entitled to look into, condemn take action against, possibly the little we were able to achieve would not have been achieved. It is really what we feel we can achieve or accomplish in the way of securing better conditions for the people of the States that actuates this resolution of the Working Committee. Let no one run away with the idea that the Working Committee or any member of the Working Committee is anxious to placate the Princes.

"Many of us have had nothing to do with any of the States or Princes. Many of us have not been face to face with a single Prince, much less have had any kind of connection or dealings with them. Therefore, what actuates us is not any over flowing love for the Princes or anything in the nature of extra, unjustified regard for their interests, but it is in the interests of the people of the States and the desire to make their conditions somewhat better than they are which actuates the Working Committee in the policy which it follows and which it now places before you for your acceptance.



"I ask you to have that attitude of mind in regard to this question. It is undoubtedly true that if we can have a perfectly democratic constitution in the States, conditions will be infinitely superior to what they are at present. There can be no question about that. As the statement itself says we have the same desire to achieve that objective as anybody else, either in this House or outside this House. But, we have to recognise facts. We have to recognise our limitations. We have to recognise the limitations in the country. If recognising these, we have to act cautiously, or as some might call, moderately, all that I can plead is that you should give us credit for the best intentions in favour of the States. There is absolutely no desire on the part of any member of the Working Committee to stick to office. I think it is unjust and uncharitable to suggest, (as was suggested, I regret to say, by one of the members) that we are trying to stick to office some how or other, and that someday we shall be driven out. I assure you on behalf of the members of the Working Committee that there is not one amongst them who would stick to his office for one single second longer than he is wanted by this House or the Congress. Not one of us would care to stick to office for one single second if it was once made clear that you do not want us. I do not think you do not want us. On the contrary, I believe you want us, not because there is anything particular in us, but because you think that we are able to give you the services that you want. In bringing forward this resolution, we have tried to place before you the view point which we think should be adopted to enable us to give effect to the policy as we conceive it to be. If you really think that we should adopt a different policy, then, as has been said by Sardar Vallabhbhai Patel, the Lucknow Congress is not far off and you can move any resolution you like there. If the Congress accepts that resolution then, certainly, that will become the policy of the Congress, and that will be carried out by whosoever is then in charge of the Executive of the Congress. But, while you want us to remain here, I ask you and I beg of you not to place us in a position where we find it difficult to give effect to the resolution. I thought it was necessary and fair to you and to ourselves that I should make the statement before I put this resolution to vote.

Please do not misunderstand us. There is no question of holding out any threat. There is no question of suggesting to you that you should vote as we bid you to vote. There is no suggestion that you should not exercise your own judgment. You are all here to exercise your independent judgment on every question that comes before you and I ask you to exercise that judgment, as we have exercised ours, on this important question. If your judgment says that ours was incorrect, certainly, by all means throw our resolution out. In that case you will give us the freedom also to stick to our judgment which we consider to be the right one in the interests of the people of the States.

One thing more I would like to say before I put the question. I do not think it will be right to put to vote Mr. Mehra's amendment clause by clause. The whole resolution of the Working Committee is conceived with a certain objective and with that objective in view, it has been drafted in a particular way. We have carefully weighed every word of it. Therefore, if we accept some amendment and reject others of those moved by Mr. Mehra, we would be creating a hotch potch, which will be neither Mr. Mehra's nor the Working Committee's child! I would, therefore, put the amendment en bloc because the amendment also is conceived as a single whole with certain objectives in view.

The amendment of Mr. Mehra was then put to the House and was lost, 10 voting for and 31 against. The original proposition of the Working Committee was next put to the House and declared carried 34 members voting for it and 2 against it.

#### Members' Resolutions

The President next announced that the resolutions of members would be taken up for consideration in the order of preference determined by the ballot.

The first three resolutions drawn were those given notice of by Mr. T. Prakasam. Mr. Prakasam, however, intimated the President that he did not desire to move them. The resolutions were by leave withdrawn. They were as follows:

"That the power to nominate candidates for Legislative Assembly and Councils in the provinces be vested in the Provincial Congress Committees subject to confirmation by the Parliamentary Board."

"That Madras City be constituted into a separate province."

"Whereas Council-entry has become an integral part of the Congress programme and an All-India Parliamentary Board has been appointed to carry out the Council

programme, and no party organisation can carry on its campaign for consolidating the national forces, and running the party candidates to the different legislatures and conducting party business without a strong party fund, it is resolved that—

- (a) (1) A Central Fund be started by the All India Parliamentary Board, and
- (2) Provincial Funds be started by the Provincial Congress Committees
- (b) and that the control and administration of the funds be subject to the rules and regulations that would be framed by the All-India Parliamentary Board.

The next resolution was in the name of Mr B Narasimham relating to the Shahidganj Mosque affair, but he preferred not to move it at this stage

#### Enlargement of Provinces

One more resolution Mr B Narasimham had given notice of recommending the enlargement of Delhi Province so as to include the Agra, Kumaon and Meerut divisions in the U P, and the Ambala division in the Punjab

Mr Narasimham had just read his resolution, when the President, intervening pointed out that in view of Article IV (c) of the Congress Constitution which provided that "the Working Committee may after ascertaining the wishes of the Provincial Congress Committees or Committees concerned contribute a new Province or assign to a Province districts from another Province as also assign an Indian State to any Province," the Working Committee could not act without consulting the Provincial Congress Committees which were concerned in the regrouping of the provinces. The Working Committee would first consult them and after ascertaining their opinion, decide as to what action should be taken. In view of that the President suggested that the resolution might not be pressed. The resolution was by leave withdrawn.

#### Delimitation Proposals

Next in the order of balloted resolutions was that of Mr Pralhasam, as regards the Delimitation proposals. The resolution was as follows —

"That the proposals made by the Provincial Delimitation Committees of the different provinces and accepted or modified by the Provincial Governments be examined by the different Provincial Congress Committees and representations be made to the Delimitation Committee appointed by the King in Council for getting the necessary changes made by them

Mr Pralhasam, not desiring to move it, the Resolution was deemed to have been withdrawn.

#### Congress Flag Design

The President then announced that Mr A Kaleswara Rao's resolution on the form of the Congress flag was the next in the order of the balloted resolutions

Mr Kaleswara Rao "Is it mature or premature for discussion?"

The President "There is nothing immature or premature about it. You can go ahead. But the design of the present flag was passed at a meeting of the All India Congress Committee at Bombay in 1931."

Sardar Vallabhbhai Patel observed that any resolution for a change in the form of the flag would lead to an undesirable controversy. If any change was necessary, it was the Congress that should determine it.

Mr Kaleswara Rao "I do not move the resolution."

The resolution ran thus

"That the plough and Charka should be printed on all the flags, medals and labels that will be issued at the time of the Golden Jubilee of the Congress, to signify the identification of Congress with peasants and workers."

#### Foreign Propaganda

Sardar Sardul Singh next moved "In view of the anti-Indian propaganda by the Imperialist powers carried on abroad, it is resolved that Indian Congress Houses be established in foreign countries, wherever possible, to undo the evil. The Working Committee of the A I O C, be authorised to take this work into its hand as early as possible."

Sardar Sardul Singh, speaking in Hindi, said that his object was to draw the attention of the House to what was happening outside India against national interests. Interested parties and imperialist powers were busy with their finances and other resources, such as news agencies, missionaries and agents, in misrepresenting India

abroad. They went to the length of saying that Indians were half-naked, uncivilised and were ignorant of even the primary principles of hygiene.

"So this is the most proper time," said that Sardar, "when the Congress is engaged in drafting the programme for constructive work, to devote attention to this very important item for the advancement of India's cause. Friends of India were no doubt striving outside to explain, as far as possible, India's position and its demands, but there being no organised centres to undo the evil that was being done to them it was necessary that at this stage, the members of the Working Committee and other Congress leaders should devote their attention to formulating some sort of a scheme for combating the evil. He had met some Congress leaders who told him that foreign propaganda would not at all help India's cause. But he would submit that Czechoslovakia, Poland and Ireland achieved their independence partly though not mainly, through foreign propaganda which their leaders arranged outside and which won for them the moral support of other nations. Recently China, by sheer propaganda, got the support of the League of Nations in spite of the best efforts of Japan against it."

Proceeding the Sardar stated that not only the dominated nations, but at the present day even those powers which boasted of their rule all over the world were spending a lot over foreign propaganda. The Prince of Wales of England was himself interested as President of a Society, in doing propaganda on behalf of the English nation. The speaker failed to understand why the Indian National Congress which had taken a vow to free India, would not take any steps in the direction. He understood that in former years the Congress did arrange for such propaganda and that it could not be continued for lack of proper men. It was now possible to make arrangements for it. He asked the Working Committee to consider the problem and evolve a scheme, providing therein for the following:—

(a) Articles and news of the Congress should be written in foreign newspapers and journals, (b) there should be at least one well-equipped library in some central place in Europe to which reference could be made by all those who are interested in India, (c) Indians should be induced to attend every international Congress, (d) books about India should be published in different languages of Europe and America, (e) prominent patriots should regularly travel abroad and deliver lectures on India, (f) in every country mixed societies of Indians and other nationals should be formed and (g) regular patronage should be given to such bodies and persons as are doing some work for India.

Mr. B. Varadachari seconded the resolution and said that the evil propaganda against India in Western countries were proceeding merrily and the Congress could not any longer afford to be indifferent. Early action should be taken to consider such propaganda. The Working Committee ought not to shelve this resolution. Every Congress leader who had gone to Europe was convinced of the urgent need for counter-propaganda. He quoted in particular the opinion of Mr. Vithalbhai Patel and Babu Subash Chandra Bose in support.

The President then made a statement pointing out that the Working Committee was now issuing a bulletin for circulation to about 20 foreign countries and that if the mover gave a scheme it would be considered.

At the instance of Mr. Sasaramdas Doulatram, the mover agreed to modify his resolution as follows:—

"In view of the anti-Indian propaganda by the Imperialist powers carried on abroad the Working Committee be authorised to take such action as it considers proper and feasible to undo the evil."

Mr. Mehrault intervening, said that no purpose was served by passing such a resolution. The Working Committee had always power to arrange for propaganda and no authorisation was necessary. It would be something if the resolution asked the Working Committee to take more steps, not being satisfied with what they had done so far.

Mr. A. Kaleswara Rao supported the resolution.

The resolution as amended was put to the House and carried *non con*.

The business before the House the President announced, was now over.

Babu Rajendra Prasad, in a few concluding words, thanked the A. I. C. C. for the expeditious manner in which they transacted the business and thanked Madras handsomely for making the stay of the members of the Working Committee and the A. I. C. C. "so comfortable and pleasant, in spite of the bad weather."

The meeting then concluded.

# The National Liberal Federation

17th. Session—Nagpur—28th. to 30th December 1935

## Welcome Address

The 17th session of the Indian National Liberal Federation commenced on the 28th December, 1935 in the Victoria Technical Institute Hall, Nagpur which was crowded to its utmost capacity with visitors and delegates. Over 100 delegates attended the session, including Sir Chimanlal Setalvad, Sir Cowasjee Jehangir, Mr C. Y. Chintamani, the hon. Mr. P. N. Saprna, Mr. Surendra Nath Verma, Mr. J. N. Basu, Prof. Roy, Mr. A. V. Thakkar, Mr. N. M. Joshi, Mr. F. Vinayak Rao, Mr. Rammurthi Sastri, Mr. U. C. Gopal Menon, Pandit H. N. Kunzru (President), Mr. T. R. Venkatram Sastri (President-elect), Dr. Khare, president of the Nagpur Provincial Congress Committee and the Rt. Hon. Srinivas Sastri.

In the course of welcome speech Sir M. V. Joshi, Chairman of the Reception Committee, said—

During the last 12 months a staunch Local Liberal Dewan Bahadur Kelkar, passed away and as usual, it is not easy to fill his place. Another great loss to our ranks and of national importance is that of Mr. G. K. Devadhai, another staunch Liberal of all India fame whose one steadfast resolve in life was to die working for the uplift of his country. Whatever our losses, we have to work unceasingly and keep the Liberal Flag flying with the one object to see this country a free nation.

The new model for the governance for this country is by now an accomplished fact and is embodied in a statute of the British Parliament. The criticism of the Liberal Federation has, from time to time, been directed against the new enactment in the various stages contemplating the reforms and I think, it can, fairly be claimed that our criticism was candid and pervasive without being better and laid bare the several defects of the new system in all its nakedness more completely than the exposition by any other political party in India, not excluding the Congress itself. The progressive parties in this country are faced with two alternatives—to work the new reforms for what they are worth by sending into the Councils our best men and try to shape our destinies in the direction of our desired goal, or to remain out of the Councils and let them be filled by such men as like to work the reforms for their own or communal advantage rather than that of the Nation. It will be the province of the President of this year's session of our Federation to expound the position and give the party a lead to act in a manner best calculated to advance the national interests. I must not trench on his sphere. Personally I should never think of standing on the platform of deliberate wrecking.

Another matter on which the President might profitably give us a lead is the question of the present position of the Liberal party vis-à-vis the other political parties in the country. In those provinces and perhaps in other provinces, the Liberal Party to-day is not looked upon as a force to be reckoned with. There are not a few critics who describe the Liberal party in India being in as moribund a condition as the Liberal party in England. It is true that the Government of the country have done all they could to sap the influence of the Liberal Party by not accepting in good time advances in the constitutions suggested by the party and have thus goaded a large number of politically-minded persons in this country into extremism. Even so, the wisdom and sanity of the Liberal party leaders is necessary for the onward progress of this country, at any rate to discountenance largely such activities of the Socialists, Communists and Terrorists as might lead this country into a national disaster.

The Liberal party cannot it appears to me hope to continue its existence or secure a following unless it is a force in the politics of the country, and a great deal of political importance will, in the near future, naturally attach to the people who will enter the Councils and deal with provincial and national matters. In Bombay, Sir Cowasji Jehangir may succeed on the Liberal ticket but I reckon this is rather due to his personal influence and his being a man of integrity and character than to his status as a party represen-

tative. He may succeed whatever his label, but in other provinces, I seriously doubt if Liberals as such will be elected to the Councils and get a chance to serve their country or promote its interests. In these provinces Liberals who survive as party men are physically incompetent to challenge an election and there is scarcely an accession of new blood in the party which can fight an election or has the financial support to attempt it. Even our own descendants are in the opposite camp. Unless propaganda, active and incessant, party backing and party funds are made available, no Liberal can succeed in these provinces and the other political parties in the province will naturally get an advantage against representatives of such a party. They may not find us sufficiently strong even to seek our co-operation.

The Liberal Party cannot rest satisfied by its being described as a Party of sane and sober men, nor by the fact that other methods tried in the country have failed and the people of this country are now brought back to the self same methods that were condemned during periods of stress and excitement. The Liberal Party's faith in constitutional agitations still endures and past experience amply justifies it and we hope to have ample scope for spreading Liberal doctrines hereafter.

#### Presidential Address

After thanking the Liberal Federation for inviting him to preside over this year's session and paying tributes to the departed leaders like Mr L. A. Govindaragava Aiyar and Mr G. K. Devadhar, Mr T. R. Venkatarama Sastri, felicitated the Congress on the occasion of the Golden Jubilee. He said

"While we are meeting here, there will take place all over India widespread rejoicings at the attainment by the Indian National Congress of the fiftieth year of its life. Most of us once belonged to it and can genuinely share in the memories of its early history. What if we have recently parted from it unable to approve of certain new activities and developments? Great endeavours, great trials, great successes marked the thirty-five years during which all that was patriotic, all that was employed in the service of the nation, was gathered under the one banner of the Indian National Congress. We may justly claim that the work accomplished while we were still undivided, was in the highest degree essential to the building up of the nation, to the consolidation of scattered effort, to the emergence of clear ideals and noble aspirations. Since we separated and began to pursue our own methods, differing from those of the latter day Congress but in our judgment truly and faithfully conformable to the old traditions, the two organisations have, no doubt, diverged widely. But behind these differences, is there not a unity of aspiration and a deep affinity of aim? They and we alike are pledged to the winning of India's right to shape her own destiny and to her establishment as a free and self-respecting nation among free and self-respecting nations. We are colleagues in effort and brethren in service and we gladly extend to them our hearty felicitations and good wishes in the full trust that, moving along different paths where we must, and treading the same paths together when we may, we shall one day achieve the freedom and the glory of our common motherland."

Mr Sastri then traced the history of the Government of India from the appointment of the Simon Commission in 1927.

"During all this eight years' travail over the framing of this new Constitution for India," continued Mr Sastri, "our leading men of all parties have examined and re-examined every proposal and offered their criticism and suggestions. No proposal in any of these memoranda has obtained recognition or acceptance from the authors of the Act. During these eight years, the self-interest of Englishmen has been roused to opposition and a diehard section openly inimical to Indian aspirations have successfully led a crusade against all concessions to Indian demands. Cleavages in the ranks of those who represented India at these Conferences soon reduced their influence and claim to consideration. Ignoring even the just demands of Indians was found both easy and necessary to placate the diehard group."

#### DOMINION STATUS

"Our main demand from the very beginning was an Act conferring on India Dominion Status with such reservations and safeguards for a definite period of transition as may be deemed necessary—which reservations and safeguards should automatically disappear at the end of that period. How is this demand dealt with in the Act?"

"Let me say, at the very beginning that my mind is not occupied with the question whether at any time we shall have the power to secede from the Commonwealth or

not. Our party have never advocated secession nor claimed more than Dominion Status at any time. Not all even of those who spoke of independence were thinking of separation from Britain as in itself the goal. While the possibility of such separation was not excluded, many held the view that Dominion Status contained the substance of independence even before Dominion Status was expanded to its present meaning by the Statute of Westminster. Ultimate equality with the Dominions was claimed as due to the self-respect of India and not with any idea of secession at any time desired or planned for.

The speaker recalled the various declarations by the highest authorities of Britain recognising Dominion Status to be the goal of India's constitutional progress.

"The Act does not contain the declaration", proceeded Mr Sastri. "It is said that the retention of the Preamble to the Government of India Act of 1919 is sufficient as an assurance of Dominion Status to India. That Preamble refers to the centre and the provinces and relates to British India. The retention of the Preamble therefore is inadequate to assure Dominion Status to Federated India. On the other hand, as I understand the Act, it denies Dominion Status to India. It has erected, as far as the combined ingenuity of lawyers and Parliamentary draftsmen can erect, barricades against full Dominion Status ever being reached.

"The provision for the appointment of His Majesty's Representative for the exercise of the functions of the Crown in relation to the Indian States, as apart from the Governor-General, is intended for all time to be a bar in the way of the Indian States becoming fully a part of United India. While the Indian States come into the Federation in so far as they surrender any powers to the Federation by their treaties of accession, their residuary powers, that is, their residuary sovereignty, remain wholly outside the Federation and outside the control of the Governor-General as representing it. At no point of time, even after the Federal Government has become fully responsible, can the Indian States come fully into the Federation. We shall in due course be told that the peculiar Indian conditions, with two Indians totally different in their constitutional positions, inevitably impose this limitation on the Dominion Status that India can ever attain. At present, neither His Majesty's Government nor Parliament wish to discuss openly the limitations on the dominionhood that India will ever be able to attain. Such a discussion will bring into question the recently made declaration of the Viceroy with the consent of the Cabinet and of all parties in England, the declaration of the Prime Minister and even the declaration of His Majesty in 1921. That is the reason why they refuse to declare in specific terms that the goal of India is Dominion Status.

#### "CO-OPERATIVE IMPERIALISM"

"In the meanwhile, we find in articles, lectures and addresses references to Dominion Status as already promised to India. These references bind nobody. But more than ordinary interest attaches to the declaration of the Marquess of Zetland who is the Secretary of State in the present Conservative Ministry of England. Recently, the noble Marquess delivered the Cust Lectures at the University College of Nottingham, a full report of which was reproduced in the Indian newspapers. He took for his theme "India Retrospect and Prospect. The Secretary of State had been in India as Governor of Bengal and is a student of its culture and religion. He has been generally known to be not unfriendly to the Indian cause. In this lecture of his, the new Constitution Act is examined with so much of antecedent history as he thought necessary to show how events had long been working towards the Government of India Act just passed. The Act is claimed to be "an outstanding landmark in what may be described as the new conception of Co-operative Imperialism which came into existence when the old colonies of the British Empire became the Dominions of the British Commonwealth of Nations." Co-operative Imperialism is a fine phrase. It looks like a loose and somewhat self-contradictory phrase, particularly in the sentence in which the Empire is turned into a Commonwealth. In an earlier passage, looking back over a hundred years of Indian history, he said "we seem to have been working steadily, if for much of the time unconsciously, towards a goal which has only recently become clearly defined on the horizon—the goal, that is to say, of a vast self governing dominion within the framework of the British Empire consisting of a federation of a congeries of peoples now amounting to 350 millions or something like one-fifth of the population of the earth." In the closing passage, reference is made to India "taking a place in the organism which will be the crowning achievement of Co-operative Imperialism"—which organism includes, apparently, a Commonwealth and an Empire. The Secretary of State and his

colleagues are masters of fine and suggestive language. We cannot always understand the full implications of their subtle words chosen to express more shades of meaning.

#### OUTSIDE THE COMMON-WEALTH

"At first sight it would seem some gain that a Conservative Secretary of State should speak of dominionhood as the goal of India, after his party had steadily ignored the demand that that should be explicitly stated in the Parliamentary Statute to be the goal. But scanning the statement closely one finds that the Co-operative Imperialism envisaged will leave India within the Empire and outside the Commonwealth. The co-operative character of the imperialism flows from the erstwhile Colonies of the Empire attaining equality of status as dominions of a Commonwealth. Imperialism is upheld by India, which will become not a member of the Commonwealth but only a self-governing dominion "within the framework of the British Empire."

"It may be, I am willing to assume, that I am reading too much in the language of the lecture intended to expound the imagination, courage and faith of imperialistic politics. Assuming then that the Secretary of State envisages full dominionhood for India, we still have the fact that those who refuse to recognise the binding character of an authorised declaration by the Viceroy, a declaration of the Prime Minister and even a declaration by Minister and even a declaration by His Majesty the King, will not be deterred from questioning the validity of a casual statement in the course of a University lecture.

The peculiar conditions of India which bear so large a part of the responsibility for the most anomalous provisions in the Act will be made responsible for dominionhood not being attainable beyond a certain point.

"As I have already said we wanted an Act once for all passed by Parliament without the periodical inequities such as the Act of 1919 provided for. We wanted the Act to be complete, containing the seeds of future constitutional growth. The provision for periodical inequities such as the 1919 Act had provided is dropped in the present Act, but every future change must come from the United Kingdom either in the shape of a Parliamentary Statute or His Majesty's Order in Council. Nothing is to be done in India. Even if, on any matter, the legislature in India is unanimous, even then, no change is possible without a report to Parliament in England and a change initiated either by Parliamentary legislation or legislation by Order in Council. There are no provisions in the Act that can help the constitutional movement on to a further stage without the assistance of British legislative machinery. Rigorous scrutiny is being devised for Orders in Council to be issued under the Government of India Act.

#### INDIRECT ELECTION

"Of the Federal Constitution, it is far too late to complain. Some of us were never enamoured of it. Many were only thinking of the British Indian Provinces and a Government of India Act for them. And even the Preamble to the Act of 1919 referred only to the centre and the provinces. Though the idea of a federation of all India inclusive of the Indian States was not unknown before, it emerged from the Simon Report as the goal of a remote future and central responsibility was stated to be unthinkable till that time. The declaration of the Princes in 1930 brought it into the arena of discussion as a present immediately realisable idea. Even those who entertained grave doubts about the desirability of the Federation were drawn in and the idea has not only acquired acceptance from influential political thinkers in India but has now been embodied in the provisions of the Act." Criticising the indirect election to the Federal Assembly the speaker referred to the fact that the Lothian Committee and Government of India supported direct election and asked:

"Is this indirect election to be forever because of the size of India? If the election is to be made direct at any time, will the size of the country or the electoral area then become less than they are at present? Whom do these representatives in the Federal Assembly elected by so small an electorate represent? Is it the members of the provincial legislative assembly or the primary voters that they represent or do they represent nobody? I suppose it will be conceded that the true theory even in indirect elections is that they represent the primary voters. If deviation from the British model is required so as to suit the conditions of the country, then what is demanded by the Indian conditions is relaxation of Bright's dictum in its application to this country, not the abolition of direct election. And as the size of the constituency is not going to shrink, and the electorate will increase and not decrease hereafter, direct election should be allowed if it is ever to be allowed in the future. Otherwise

the opinion of Parliament will have to be taken as being that indirect election must go on for ever as the only system applicable to this country. The objection to direct election is applicable in a measure to provincial election also. If direct election is allowed in provinces there is no reason to disallow it in the case of the Federal Assembly. Sir Samuel Hoare considered direct election quite manageable.

"Representatives elected by the limited electorate proposed will not have that authority nor that confidence which representatives elected directly as at present will have. The argument from the conditions of this country is used only when it suits, and so as to suit, the Britisher's pre-conceived conclusions.

"Another justification is even more curious. If there was direct election, the organic link between the provinces and the centre will it seems, be lacking. If the members of the provincial legislature elected 250 members to the House of Assembly, the organic link is conceived as established and the centrifugal forces are kept under control. It is difficult to appreciate this miraculous power of indirect election.

Speaking on the representation of the Indian States Mr Sastri said "There is something anomalous in the conception of a Federation in which the citizens of a Federal Unit have no right of citizenship. To the Federation the Indian State means only the Indian Prince. Consistently with this conception, the 125 States' representatives of the Federal Assembly and the 104 representatives in the Federal Council are left to be nominated by the Princes themselves. There is strong feeling among States' people that these representatives should be elected by themselves. It seems not only just in itself but it will also be found on a far-sighted view of the matter desirable in the interests even of the Princes. At present we cannot do more than commend it to the consideration of the Princes. In purely British Indian matters the States' representatives should have no power to vote. As no such rule is embodied in the Act, it must be established as a convention, as in British Parliament as to matters exclusively Scotch. Such a rule is eminently just and necessary where, as here, the Federation cannot legislate for the Indian States, and the British Indian representatives never interfere in any exclusively States' concerns.

#### RESERVATION

"Defence, Ecclesiastical affairs and Foreign affairs are the reserved departments as also the Tribal Areas. Not more than three Counsellors are to be appointed to assist the Governor-General in the exercise of his functions in regard to these departments. The appointment of these Counsellors will operate as a set-back on the present position. The present position is that the members of Council in the Government of India as part of the Government have direct contact with these departments and means of influence. It will be difficult for them, after the fixing of this separate responsibility and the appointment of special Counsellors for its discharge, to exert the same influence as before. It is for this reason that Sir Tej Bahadur Sapru suggested the appointment of the Army member from among those elected and the British Indian Delegation suggested the appointment of a non-official Indian. The attainment of full Responsible Government and Dominion Status, as far as it is held attainable, depends on India being ready to undertake her own defence. Indianisation, complete or nearly so, can alone enable India to say that she is ready to take it up. The Sub Committee of the First Round Table Conference presided over by Mr J. H. Thomas resolved that with the development of the new political structure in India the defence of India must be to an increasing extent the concern of the Indian people and not of the British alone.

Will this Indianisation be undertaken? It is impossible to prescribe a certain pace for this process? No plan has so far been promised for carrying it out. In the Cust Lecture, the Secretary of State says in language now familiar to us by constant repetition "For a period which the boldest prophet would shrink from naming, the defence of the country and the conduct of its foreign affairs, will be administered by the Viceroy and will be beyond the control of the legislature."

They will continue, that is to say to be a responsibility of the Imperial Parliament.

"The safeguards are numerous. They are intended to provide for special interests and grave situations. No one objects to a provision for breakdown of the constitution. Such provisions should be confined to the minimum requirements, but in the Act they are so comprehensive that no further addition to their number can be conceived or suggested. The Governor General makes his own Acts and his own ordinances. The Governor makes his own Acts and Ordinances. Each has special responsibilities—nearly the same in both cases. In these matters the Governor



General and the Governors exercise their discretion or individual judgment and all such matters are subject to the control of the Secretary of State, and he can fix by rule what classes of cases should go to him beforehand. Many of these matters may be made the subject of dictation from Whitehall.

#### FISCAL AND COMMERCIAL SAFEGUARDS

'No safeguard is so sinister-looking as these. And no part of the Act is conceived in such contemptuous disdain of Indian interests and Indian self-respect, or is calculated permanently to injure India's economic life and welfare, as the chapter on 'Provisions with respect to Discrimination, etc.' It is provoking and utterly unprovoked in the detailed and exhaustive provisions it contains. It is a breach of the spirit of the agreement at the First Round Table Conference. With your permission I shall spend some little time on these topics. The fiscal freedom of India was conceded by the Joint Select Committee of Parliament in 1919. The Words of the Committee were these: "Whatever be the right fiscal policy for India for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa." The fiscal freedom thus defined is the basis of the Fiscal Convention which has since regulated Indian Tariff policy. The Government of India are to have the right to consider the rights of Indian first, just as Great Britain and the other parts of the Empire have always chosen without complaint from each other, the tariff arrangements which each thought best fitted for its needs, thinking of its own citizens first. India has under this fiscal convention adopted a policy of discriminating protection. On the basis of rigorous test imposed by the Fiscal Commission and rigorously applied by the Tariff Board, a comparatively small number of industries have received protection. The scrupulously fair manner in which the 'discriminate' protection has been given is unquestionable. The application of the policy in India can challenge comparison with any country in the world not excluding Great Britain. The measure of protection has, in the opinion of competent people, fallen short of the needs of the situation in a number of cases. Divergence of interests between Provinces and between agriculturists and consumers on the one side and industrialists on the other, has tended to keep the measure of protection below the point of need.

#### COTTON AND STEEL

In two vital industries, cotton and steel the legislature has favoured Britain by imposing duties lower than those applying to foreign goods. And yet the fiscal freedom of India is now curtailed by a provision fixing responsibility on the Governor-General to ensure the prevention of measures, legislative and administrative, which would subject British goods to discriminatory or special treatment. And discriminatory treatment is made to include indirect discriminations by means of differential treatment of various types of products. And the Governor-General may prevent the imposition of prohibitory tariffs or restrictions if he was satisfied that they were of a discriminatory or penal character. After these provisions it is nothing but irony to speak of the reciprocity of 'deliberate effort of the partners to expand the whole range of their trade with one another to the fullest possible extent compatible with the interests of their own peoples.' To speak of reciprocity in the above sense, after a statutory deprivation of fiscal freedom is a deceptive use of language. Reciprocity of fiscal arrangement in the matter of administrative discrimination is meaningless when it is remembered that in no conceivable circumstances, can there be any one in England to protect Indian interests just as there is the Governor-General of India to protect British interests here. The very existence of these provisions is felt to be an insult to India and must be a permanent source of irritation. Britain has been given preference in regard to two important articles and the Britishers enjoy administrative preference by reason of their dominant position in India. How these provisions will actually work remain to be seen. They are capable of doing great harm. The matter was incapable of being legislated upon in the opinion of competent lawyers. Parliament has ventured, nevertheless, to embody these provisions in the Act. From the nature of the case they cannot but be vague and indefinite. Individual opinions and idiosyncrasies must play a part and the consequences may conceivably be disastrous to Indian interests. Nor are these apprehensions of injury imaginary.

#### INDO-BRITISH TRADE AGREEMENT

The supplementary Indo-British agreement of 1934 concluded at the instance of the British commercial community and in consultation with them during the whole

of the negotiations with India is a case in point. It was sprung on the commercial community in India without notice. It starts with the assumption that Indian industry requires higher protection against foreign goods than against imports from the United Kingdom. The interests of vast millions of poverty-stricken consumers, often urged against protection to Indian industries, are forgotten when it suits British commercial interests. The imposition of heavy duties on cheap foreign goods affects the consumer and is undesirable in his interests. It is for this reason that the Tariff Board has to balance conflicting interests and has therefore to consider the extent of possible injury to him in all its proposals of protection. There is, in the agreement, a further provision that the Government of India undertake that the measure of protection to be afforded shall be only so much and no more than will equate the prices of imported goods to the level of fair selling prices of Indian goods and wherever possible lower duties will be imposed on the goods of the United Kingdom. It will always be open to controversy as to whether the differences in costs between Indian and foreign goods have been correctly estimated. The Government of India have in the past in a certain number of cases declined to be guided by the recommendations of the Tariff Board and have either refused protection or varied the measure of protection recommended. If the Federal Government of the future varied the recommendations of the Board, or even if they acted on it, in the interests of India, the safeguard may be invoked by British interests and it may be contended that the imposition was discriminatory in effect and in intention, though it was not and could not be discriminatory in form.

#### COMMERCIAL DISCRIMINATION

"The anxiety of the British trading and commercial community to protect their legitimate interests is intelligible and no responsible Indian member of the Round Table Conference was unwilling to concede fair treatment for British commerce in India. The Nehru Committee stated that 'it was in conceivable that there can be any discriminatory legislation against any community doing business lawfully in India.' The proposals embodied in the Act have gone far beyond the protection of this legitimate interest and are conceived in suspicion and distrust of India. The provisions are calculated to prevent India's economic development and the fostering of her national industries. Swamy has no meaning except in so far as it enables the country to rise above its present poverty and miserably low level of life, and a constitution which denies this power of amelioration cannot be acceptable to India. For the first time it is laid down in this Act that the Britisher in the United Kingdom is practically to have all the rights of an Indian. The idea of citizenship involved in it and the partnership spoken of at other times between Great Britain and India are adverse to the interests of India at every turn. The general formula was agreed to at the Round Table Conference that equal rights and opportunities should be afforded to those lawfully engaged in commerce and industry within the federation, but the Indian delegates rightly desired that it should be subject to certain exceptions based on the need for protecting key or national industries, and that in respect of industry and commerce between England and India, an appropriate convention based on reciprocity should be entered into for regulating mutual rights. India cannot give up the right to impose restrictions if required in the interests of her people. One can understand existing businesses claiming that no discrimination should be made against them, but new businesses cannot justly claim any such right. But acting wholly in British interests, the Act has left no scope for the legitimate aspirations of India and no security, no safeguard, and no opportunity for its industrial development. The Act provides against discriminatory taxation as if that had been contemplated by Indians at any time.

#### INDIAN INDUSTRIES HAMPERED

"On the other hand, the discrimination has all been the other way. The British subjects enjoy immunity from income-tax on the Indian sterling loans, on pensions, etc. It is again provided that companies incorporated in the United Kingdom are by that very fact to be deemed to comply with Federal laws imposing restrictions on place of incorporation or currency or domicile, birth or race of members of the Governing Body of the Companies. That means that even in key industries it will not be open to India to say that they should be exclusively or even predominantly owned and managed by Indians. Nationalisation of the industries as a mode of getting over the difficulty may be open, but where the Government are content to leave them to Indian Companies, the doors will not be open under the Act. The impos-

tion of conditions even in regard to future companies is prohibited. Thereby, a very useful instrument of Indianisation of industrial companies in terms of incorporation is taken away. Restrictions imposed on the grant of bounties, subsidies and other forms of aid are also objectionable. The imposition of conditions of eligibility is permitted as regards new entrants only and not as regards those already established in India. This is a deduction from existing power to attach these conditions when granting bounties to an existing company. It was actually done in the case of Tata Iron and Steel Co., and in the case of paper industry. For the purpose of the provision it is laid down that "a company incorporated by or under the laws of the United Kingdom shall be deemed to carry on business in India if it owns ships which habitually trade to and from ports in India." That is to say, Indian shipping industry cannot receive a bounty or subsidy without its being given to those companies of the United Kingdom also. Even recently one finds that the British shipping companies are clamouring for help against outside competition. They may receive bounty from Britain and may claim it from India. But India is not have the right to grant bounty or subsidy to her own indigenous shipping industry unless she pays an equal amount to British industry otherwise amply provided.

#### COASTAL SHIPPING

"The Act has further taken away the right to impose any conditions that the Government see fit to impose. It has limited the terms and conditions beyond which the Federal Legislature cannot go. They are the terms and conditions defined by the External Capital Committee and accepted by the Legislature. The result of the incorporation of those provisions in the Act itself and of the substitution for the word Indians the words "British subjects domiciled in India," will enable a company wholly British to be formed with one half of the governing body being British subjects of Indian domicile. Even the concession which the External Capital Committee Report gave to India has now been taken away. Without saying that bounties should be refused to British companies under all circumstances, cases may and must occur where the encouragement of industries owned by her own nationals may be called for and India must have the power to give that assistance to an indigenous industry from funds raised within the country. Discrimination of any kind is prohibited in regard to shipping. That is to say the reservation, for example, of coastal shipping to Indian enterprise is prohibited. All these provisions are sought to be made acceptable to us by a promise of reciprocity. That provision is nothing but a mockery. There is no possibility of an Indian company shipping or other claiming reciprocal rights in the United Kingdom and the promise of reciprocity is a sham. It may here be added that Great Britain has reserved her right to initiate discrimination and then India may also discriminate, but that discrimination may continue only so long as Great Britain discriminates. Her interest and her convenience must rule.

#### ADMINISTRATIVE DISCRIMINATION

"The original idea of an agreed convention, replaced by these drastic provisions in British interest, is retained in Section 118 in a very interesting form. If a convention is arrived at an Order in Council may suspend these provisions, and when the convention expires, India will again be in a grip of these statutory provisions. That is to say, if better terms are offered by the convention, the convention will then be allowed operation, the provisions of the Act as the minimum of concession to British interests will always remain. There is no guarantee of protection against administrative discrimination in England and there can therefore be no just claim against administrative discrimination in India. So far from there being any administrative discrimination against the Britisher the discrimination has been the other way against Indians and Indian Companies. Employment of Britisher has, in the past, been the means adopted by Indian Companies for securing some consideration from Government and from Railways. The whole of this chapter may be said to proceed on the footing that the British subject in the United Kingdom being an Indian, there is no need for an Indian to aspire to establish any Indian industry. What India wants, Britain is ready to supply. No Indian company is therefore needed. If Indian companies are throttled by British companies as was done years ago when shipping was started to ply from Tuticorin to Ceylon, it need not be a matter of concern to Indians; it is just like competition between two rival companies of the same country.

"The provocation for the whole of this chapter is the threat of some Indians to repudiate Public Debt and boycott British goods. That set the Britisher thinking

of safeguards and it struck the imagination of the ingenious Britisher to study at what conceivable points British interests may be attacked and be provided against it all and he conceived British interest in the widest possible manner. Converting the Britisher into an Indian offered the best way of solving all the connected problems.

#### THE SERVICES

"The recruitment for services is not to devolve on the Federal or Provincial Governments. The higher administrative services, namely, the Indian Civil Service and the Indian Police Service, and the Indian Medical Service are to be recruited by the Secretary of State. The Secretary of State is to reserve posts. He is to appoint special Irrigation Officers, if, in his opinion, they are required in the provinces. The pay, condition of service and everything connected with these appointments will be fixed by the Secretary of State. There is no indication that at any future time now known or knowable these services will be recruited by the Governor for the provinces or the Governor-General for the Federation. The provision for re-examination of this question at the end of five years, originally contemplated, has been dropped in the Act. The denial of the right of recruitment to the Federation and to the provinces is a serious subtraction not only from the theoretic right of a Federal Government and Federal units but also from the full responsible character of the administration under the system.

"The total result is without doubt one of grave dissatisfaction in our minds. We feel that power is not relinquished. The old instruments of control are there still. Power still remains drawn up into the hands of the Secretary of State, through the Governor General and the Governor acting at their discretion and in the exercise of their individual judgment subject to his control and direction and through services protected with special care and empowered to do what may thwart the action of the Ministers. Not content with these instruments of power vested interests are entrenched in the centre and in the Second Chambers of the provinces as a first line of defence against democratic advance. Good friends in England desire us to accept the Act and settle down to constructive work within the limits set by the Act "in a spirit of political realism." Immediately after our last session's condemnation of the Joint Parliamentary Committee's Report as unacceptable, a friend wrote that "nobody in Britain will echo the criticism that mourns have been in labour and brought forth a ridiculous mouse." On the other hand, he continued, "most people here, even those most sympathetic to Indian aspirations and most responsive to Indian sentiments and susceptibilities, are of the opinion that the scheme of Constitutional reform goes a considerable way in the direction of dominionhood." No one says that in the provinces, for example, advance is not made by bringing more subjects under the control of Ministers than there were under the Act of 1919. But the whole of what we are now to have in the provinces we could have had under the Act of 1919 by rules without spending eight years over the forging of a new Constitution Act. We should have had it in 1924 if the Congress had then agreed to take it. We could have had it perhaps even in 1931. I am not sure that a certain section in the country do not regret that the Round Table Conference was not scraped in 1931 and the reform confined to provincial autonomy. The only gains under the New Constitution Act are the Governors' Acts and the Governors' Ordinances and the numerous safeguards and the statutory exclusion in the Police department, over which Indians have exercised control without complaint.

"As for the centre, no one is really very enthusiastic. People have become reconciled to it as to something inevitable. If central responsibility is to be reached only by the establishment of a Federation, with its imperfect and imperfectible unification, so far as the letter of the Act goes, we must face it. We say to ourselves, "get through it as soon as you can the sooner the better", though there are not wanting men who would much rather postpone what according to them is, in many respects, a unique, unequal and undesirable, half union.

"The same English friend assures us of a fundamental feature of British psychology which is that "hardly anywhere is there to be found, save in the case of individuals, anything except a sentiment of real friendship and amiability towards India." We are also assured that "the feeling of genuine goodwill is general and widespread." It is further added that "the Britisher has been taught that his country has been a trustee of Indian interests during the many decades of Indo-British connection" and

he does not wish to take "undue risks in renouncing a responsibility that weighs upon his conscience." When the widespread and genuinely held belief in Indian nationalist circles is expressed with more or less vehemence that Britain has a vested interest in the exploitation of India for her own benefit and advantage, it is with no assumed warmth that British people resent the imputation which in their moments of generosity they attribute to the natural inability of people of alien race and tradition to render justice to the well-meant benevolence of their rulers.

"I am not given to attributing motives. I wish to put the best construction on the acts of others. I have set out the result of the chapter on Discrimination as I see it. Even the Marquess of Lothian says that the provisions against commercial discrimination are most of them unwise from the British point of view. With every desire to see high motives in every part of the Act, I find it difficult, on my understanding of what is aimed in that chapter, either to see any notion of trusteeship or any sense of what trusteeship involves or any well meant but misunderstood benevolence of British rulers or any sense of responsibility weighing on the Britishers' conscience. With the attitude of one who will not agree to the reservation of coastal shipping for Indian nationals and must destroy it whenever any attempts are made by the Indians to establish it, how can we associate all that is claimed for him? We are assured on all sides that the provisions of that chapter will not be worked in the manner that the words may suggest. If that proves to be correct, then the British commercial men must indeed be deeply disappointed.

"What then must we do? I wish to remind fellow delegates of our resolution of last year. We then expressed our profound regret that instead of removing the glaring defects and shortcomings of the White Paper proposals and in utter disregard of Indian opinion of all shades including that of the British Indian Delegation, the Joint Parliamentary Committee's Report introduced further reactionary features rendering illusory responsibility in the provinces and in the centre. We stated further that the Report was wholly unacceptable to Indian opinion of all shades and passed a resolution that "this Federation does not want any legislation based on the Joint Select Committee's Report." The legislation has now overtaken us. The Act is now unacceptable to all shades of Indian opinion, as the Joint Parliamentary Committee's Report was last year. What is our reaction to the legislation? What is the reaction of the country to this legislation?

"There is diversity of opinion in the ranks of every party. Some hold that the Act being unacceptable, we should not go into the legislatures, we must keep aloof. Others hold that we must enter the Councils. Of those who are for entering the Councils, but must not accept office, others, that there is no purpose in going into the Councils unless we are prepared to accept office. There are those who hold that we must wreck the Act, that is, make its working impossible. We must reverse the old saying that we should co-operate wherever possible and oppose where necessary. We must now say to ourselves that we should co-operate, where necessary, but should oppose wherever possible.

"In any decision as between these alternatives it must not be forgotten that a certain section of our countrymen can be got to work the Act.

"To say that you will not work the Act because it is unacceptable to us leads you nowhere. As a friend has well said, "if you will not work the Act, it will work you." If you do not work the Act, the Act does not thereby become unworkable. If you were so united that, by refusing to work the Act, it should become unworkable, this Act would not have been passed at all, you would then have secured every provision that you wanted. We are disorganised, and demoralised. That is why the Act is thrust on us with the assurance that if we did not work the Act, others may still be found in the country to work it. These do not mind what the majority think. It is for you to consider whether you should permit them to go in and work the Act or whether you who claim to be progressive and nationalist should go in and work the Act.

#### COUNCIL-ENTRY

"Keeping our unprogressive elements from the Councils, is it not in itself desirable, nay is it not necessary? Now then, can there be any doubt that the progressive parties in the country cannot afford to allow the non-progressive or anti-nationalistic elements to go into the Councils and work the Act? Is there any flaw in this argument? I see none. It is then absolutely necessary that the entry into the Councils should be accepted, at least to keep out the undesirable. If then you must go into the Councils in large numbers. In fact, you must be there in a majority or at least in

sufficient numbers to have a controlling influence. Then you may be invited to form the ministry. Do you accept office or do you reject it and sit in opposition to the Government? If you preferred to sit in opposition, some one else will undertake to form the ministry. Do you oppose? Do you oppose all measures or only such as are detrimental to national interests? That is to say, are you to wreck the Act, by opposing all measures of Government, even if they should be beneficial? Indiscriminate opposition will be found not to be a paying game, unless the whole country understood your game fully and was in full sympathy with it, unless you had the country backing you in any such programme. If you went into the Councils on wrecking as an election programme and in all the provinces you succeeded, I can understand a programme of that kind.

#### ACCEPTANCE OF OFFICE

"I do not expect any such programme to succeed. The unity that you require for any such programme has yet to be created. When that unity is created it may be that wrecking is not necessary for securing changes in the Constitution. Such a unity may be the result of work done in the country. It may be the result of working within the Council also. The work within the Council will quicken the work in the country. In power, you will be able to do a great deal more than in opposition. One gets more support in power than in opposition from the official hierarchy right up to the top. Contact and association tell more than the merit of any question. For your beneficent measures you may be sure of support from the Governor. I am speaking with some knowledge of how contact and association secure support even where the support is invoked for ill-conceived and wrong-headed measures.

Wrecking as a programme is of questionable wisdom and refusal to accept office and responsibility in any circumstances is refusal to make those contacts and association that make smooth the path of work and achievement.

I have not forgotten the point of principle that must now and then emerge in a certain number of cases small in comparison with the question that come up from day to day. My exhortation not to adopt wrecking as a policy does not mean that you should relax on a matter of principle. In many cases, it will be found that the point is quietly gained. In a very few cases, the matter may have to be fought out. The minister will then have to be firm. The citadel may yield or it may be defended. It is at that point that the mettle of your minister may be tested.

It is then my strong view that entry into Council and acceptance of office should not be avoided, that a programme of wrecking is unwise and that a strong and courageous handling of occasional questions which might involve a conflict of varying strength and degree is all that will be needed. More probably, long before this point is reached, your strength would have been duly tested and measured and if you have stood your ground in the test, the conflict might not arise at all in most cases. So far, the remarks bear directly on the Provinces. If we now turn to the Federal Assembly and Council, a difference of position is immediately noticeable. There is little chance of a majority in the Centre. Here the wreckers may desire to force constitutional reform but are not in sufficient numbers to force it. They may be in a majority in the Provinces where wrecking is neither necessary nor desirable.

This patient and strenuous work in Council is not all that will have to be done by a party. It is the lesser part of the work. The party will have to work in the country even more than in the Councils. The country has to be politically educated and made to know the work that has to be done and the workers that should be trusted. Without organising a strong and well disciplined nationalistic party in the country, it will be impossible for long to carry on nationalistic work within the Council.

#### THE HANDFUL OF LIBERALS

I sense the unspoken question in the minds of my fellow delegates, and in the minds of others present here not of the Liberal complexion in politics, where are the Liberals to whom these observations are addressed, who will go into the Councils in large numbers and will then be faced with the problem of accepting or rejecting office, etc., referred to above? My remarks are addressed not to Liberals only but to all nationalists in the country. Your resolution of last year twice refers to "the entire body of Indian opinion of all shades" in reference to the attitude of the country to the joint Parliamentary Committee's Report. I have followed it up this year by speaking to all progressive Indian parties of whatever shade of political opinion. My fellow delegates and I know that we are a handful in a vast country—we who have

the courage and are not ashamed to own ourselves to be Liberals. There are far more Liberals in the country than own themselves to be such. I knew the difficulties in the way of propaganda and recruitment to Liberal ranks in my part of the country. I am for converts to our ranks, if we can get them. If we do not get many, no matter. We shall be content with the Liberal principles permeating the lives of people. To my mind, those who have decided, if only for the moment, to give up non-co-operation, and work along lines favoured of the ancient Congressmen and their modern representatives, the Liberals, are also Liberals in spirit and conviction even if not in name. I do not say they are Liberals either to taunt them or to vex them, but only to satisfy my own mind that our mode of doing political work is at least one of the authentic and approved modes of doing work and I need not desert it for any other unless occasion should call for it in no uncertain or irresistible voice. I personally feel no hesitation in saying that all progressive parties should welcome opportunities of doing national work in and out of Councils in collaboration with one another without in any way breaking with their other loyalties. If, for example, there is what may be called a Parliamentary or Council-entry party, I see nothing improper or incongruous in the members of different parties joining such a group and working in collaboration. Such a party will work not only within the Councils but also outside the Councils and in the country. In time, these co-workers may establish intimate political association and evolve similar modes of political thought. Nor is divergence of view within the members of a party inconceivable. Since you elected me to this chair, I have had, from Liberal friends, exhortation to give a lead in opposite senses. I do not wish it to be understood that in the remarks I have permitted myself to make I am trying to lead you along lines that the majority among you may not approve. There is an authentic definition of a leader from my part of the country that he is the follower of his followers. It is not quite so paradoxical or quite so untrue as at first sight it looks. Educating public opinion and being educated by it go on side by side. I have permitted myself to express an opinion of my own. It is for you finally to take it into your consideration and come to a deliberate decision.

#### PARTY PROGRAMME

I should normally stop here but I cannot refrain from referring to the question of a party programme. If progressive parties decided to undertake the responsibility of government a programme is essential. Whatever may be the decision, it is time that the question of programme is taken up. The Liberal Party should take it up. They are eminently fitted to do it.

A committee may be appointed with power to co-opt outside experts to prepare a programme. While it is essential that programme-makers should know what has been done in other countries, they cannot simply transcribe them wholesale into their programme without adapting them to the needs and conditions of this country. There is some informed and much uninformed planning in the country in imitation of the Five Year Plans and Ten-Year Plans of other countries, so much so that the word, planning, and the idea behind it are in danger of becoming discredited. But a party programme is necessary without delay.

If the masses of the population, now steeped in poverty, are to have a reasonable standard of living, the country must bend its energies in devising a practicable programme and carrying it out. The relief to agriculturists whose poverty and distress are on the increase in these depressing times, the condition of landless labourers in agriculture and urban workers in unorganised industries and the problem of the educated unemployed call for immediate attention. The pressure on agriculture necessitates industrialisation chiefly by the introduction of cottage and village industries as a new or an additional occupation for the rural population. Nationalisation in certain directions is no longer a matter for discussion. In transport, in Posts and Telegraphs in public utilities such as electricity, broadcasting, etc., nationalisation has become an established fact. Liberalism, unlike Socialism, reserves freedom of judgment in each case on the merits without making a fetish of nationalisation as applicable in all circumstances and to all departments of economic life. Fair conditions of life and fair distribution of the profits of industry as between capital and labour must be secured if need be by careful legislation.

Taxation as an instrument for securing social justice and redressing inequalities in the distribution of wealth is well-known. I can see no end or goal which cannot be more easily and promptly achieved by social legislation than by the doubtful and difficult paths of Socialism. I do no more than set down certain ideas as they

occur to me. All this, however, must be a matter for the careful and well-considered opinion of a Committee of Experts.

## Resolutions—Second Day—Nagpur—30th. December 1935

### The Government of India Act

At the open session of the Federation this afternoon, the following resolution on the Government of India Act, approved earlier by the Subjects Committee was passed unanimously

"(a) The National Liberal Federation of India, while reaffirming its resolution of last year regrets that in utter disregard of almost unanimous Indian opinion, the British Parliament not only did not accept a single suggestion for improvement from India's point of view but imposed the Government of India Act 1935 on the country with further objectionable provisions added, (b) yet the National Liberal Federation considers that in the circumstances of India, anything like a boycott of the new constitution is futile and impossible, and is therefore of opinion that nationalists of all parties and groups in the country should in the supreme interest of India act together in the general elections which are to be held under the new Act so as to secure their return to the Legislatures in the largest number, and to utilise the constitution so as to extract from it whatever good it can yield and, what is more important, so as to accelerate the reform of the constitution on lines demanded by and acceptable to Indian opinion, (c) the Liberal Federation reiterates that no constitution can satisfy Indian opinion which does not approximate as nearly as may be to the constitutions of the Dominions and concede to the people of India the full rights of national self government with the irreducible minimum of reservations for a short period fixed by statute and which further does not make for national solidarity."

The chief feature of to-day's session was the attack made by Mr C Y Chintamani on Sir Cowasji Jehangir. Both were speaking on the Reforms resolution. In his speech, Sir Cowasji frankly admitted that great many safeguards in the new Constitution have been provided on the explicit demand of the minorities and vested interests and that the background of communal disunity could not have been ignored in framing any constitution for India. He alleged that almost all communities in India were steeped in communalism and characterised the Nationalists as lip Nationalists but not Nationalists in action.

Mr C Y Chintamani, constructing Sir Cowasji's speech, as an attack on Hindus and as an unnecessary animadversion on India's body politic, dissociated himself from Sir Cowasji's observations. He totally denied Sir Cowasji's implications that the Constitution had not been forced upon India by England.

Great excitement prevailed during Mr C Y Chintamani's speech. Repeated appeals were made to him not to attack Sir Cowasji personally.

Moving the resolution relating to the new constitution the Right Honble V S Srinewasa Sastri said the enactment of the new India Act was the result of our weakness and utter helplessness. The Act was thrust upon them. As there was no escape, they must submit. He added that advantage had been taken to the fullest of the discord among Indians in the matter of framing the different provisions of the new Act. Therefore, it is that weakness which they must get rid of. Proceeding, the Right Hon Sastri declared the educational system must be changed and the young generation to-day must imbibe ideas of nationalism thus securing extinction of the very sources of discord in life. Children to-day must be so taught that they must act as brethren in the service of the common motherland and thus demonstrate to the outside world that they are real citizens of India.

Mr Sastri thought there was no incongruity in severely condemning the constitution and working it, as the India Act had been thrust upon them. They had not given an atom of co-operation in the framing of it. If they did not work the constitution, others would work it. It was therefore necessary to come out of the wilderness, take the reins of administration and accept offices and work out their fate. It was in their hands to make use even of this evil instrument for securing their purpose. They were unwise in the extreme who counselled abstention, from assuming power. Ministers, in the future, must be men who had clear vision, iron will and determination to take office with honour and drop the same if it meant betrayal of the interests of India. Concluding, he said, "Come together under our banner and fight together. Notwithstanding the frowns of Governors and Viceroys, no one can bar India's fate."



for ever. To no people who have known greatness once shall it be denied altogether.

*Sir Chamanlal Satawad* said Indians had to blame themselves for the present state of affairs in the country. He agreed with *Mr. Sastri* that the communal cleavage among various communities was responsible for their misfortune, and appealed for co-operation of all parties with a view to adopting a policy regarding the new constitution.

*Sir Cowasji Jehangir* declared he was one of those who believed the evil of communal dissensions could be remedied. At least some safeguards contained in the new Act had been the result of reckless statements made by their own countrymen. However good any constitution might be, it would fail if not worked by men of will and necessary character. It was up to them to work the new Act as to make those safeguards waste paper. He hoped the Act, bad as it was, would be an instrument in bringing about a change in their mentality and unite them thus enabling them to succeed in getting the full measure of self-government.

*Mr. C. P. Chakravarti* agreed that communal decisions were responsible for their misfortune but said they were not wholly to blame. Efforts for achieving communal unity on various occasions in the past had been frustrated by reasons beyond their control. He denied that Liberals were obsessed by a communal outlook and appealed for arriving at a common policy of action even at this hour among all parties so as to accelerate the advent of Swaraj.

*Sir M. V. Joshi* supported the resolution while *Mr. J. N. Basu* declared they must work the new constitution to the best of their capacity. They must face difficulties and work for attaining their ideals and fight straight on till the objective was secured. The resolution was then passed unanimously.

#### Indian States Subjects

Discussion on the resolution regarding the Indian States subjects and their rights initiated by *Mr. M. D. Altakar*, was supported by *Mr. A. V. Patwardhan* and *Prof. Kelkar* of Poona. The speakers urged that the Princes should move with the times and see their way to concede the legitimate and just rights to their people. They expressed satisfaction that the cause of States subjects had been supported by the National Liberal Federation.

Speaking on the Criminal Law Amendment Act, *Mr. P. N. Sapsra* thought the measure was very severe and would come in the way of honest journalists. He hoped the Act would be repealed as early as possible. The resolution was supported by *Mr. E. Vinayakarrao* and *Mr. S. M. Bose* and was carried without dissent.

The other resolution was passed without much discussion. The session concluded at 8 p.m.

*Mr. Venkatarama Sastri*, President, in his concluding speech, observed that strenuous work lay before them. He hoped Liberals from all Provinces would co-operate with him in giving effect to their decisions. They must continue to make efforts at communal unity the want of which he said was a stumbling block in their political progress. They should endeavour to combine with other nationalists and fight elections next year.

#### The Army

The Federation unanimously passed the following resolutions besides the one relating to the new Constitution —

(A) The National Liberal Federation is acutely dissatisfied at the complete lack of response by the Government to the repeated demand of India for rapid nationalisation of the army and at their obstinate adherence to the ideas and methods which will not bring it about even in three centuries. The Federation cannot but condemn the policy of refusal to take steps for the speedy Indianisation and opposition, at the same time, to Self Government on the plea that India cannot defend herself.

(B) The Federation reaffirms the demand for steady reduction of the British Army of occupation and its replacement by Indian troops drawn from all classes of provinces.

(C) The Federation is gravely concerned at the maintenance of the military expenditure at a level which is beyond the capacity of India to bear without detriment to social services and economic development, and it urges on the Government of India the adoption of measures which will bring down military expenditure to a reasonable figure.

### Unemployment

The National Liberal Federation is gravely concerned by the acuteness of the problem of unemployment which is on the increase among the middle classes. While it is glad that certain aspects of it have formed the subject of investigation in some provinces, notably in the United Provinces by a committee under the chairmanship of the Right Hon ble Sir Tej Bahadur Sapru, the Federation urges that measures calculated to reduce it should be adopted without delay in the shape of planned economic development and the reorganisation of the system of education (without prejudice to the wider diffusion of higher education), so as to train young men for wealth-producing pursuits.

### Criminal Law Acts

The National Liberal Federation records its strong protest against the Criminal Law Amendment Act and the several provincial Special Powers Acts passed in the present year. They perpetuate or prolong the extraordinary powers taken by the Executive virtually free of judicial control, first in the form of Ordinance and next of temporary legislation. The legitimate liberty of the Press and the public is seriously menaced by these Acts and the Federation, therefore, urges their immediate repeal.

### Indians and Zanzibar Laws

This Federation, while reiterating its condemnation of the anti-Indian decrees passed by the Zanzibar Government in June 1934, which decrees have resulted in squeezing out Indians from lawful pursuits in the Zanzibar Protectorate, expresses its apprehension at the extension of the moratorium to July 1936 in clear violation of the Zanzibar Government's promise to settle the debt problem within a year.

This Federation records with satisfaction the unanimous report of the Agricultural Indebtedness Commission appointed by the Zanzibar Government, which supports the conclusions of the report submitted by Mr K. P. S. Menon, I.C.S., to the Government of India, which exposes the one-sided nature of the last Barlett report, on which the said anti-Indian decrees were based and deplores the attitude of the Zanzibar Government in not accepting the Commission's report as well as the views expressed in the memorandum of the Indian National Association of Zanzibar submitted to the Secretary of State for Colonies and the Government of India. In the opinion of this Federation, the basis of the said decrees having been shattered by the said Commission of the Zanzibar Government presided over by the Chief Justice with an official majority, the Government of India should press for a repeal of the said decrees.

While the Federation appreciates the sympathetic attitude and action of the Government of India, it urges on them the advisability of promptly pressing for acceptance of the following demands: Relief of the urgent needs of the Indian community, namely (1) amendment of Section 19 of the Land Alienation Decree of 1934 with retrospective effect, so as not to allow the period of limitation to run against creditors during the moratorium, (2) immediate adoption of the recommendations of the Agricultural Indebtedness Commission by the Government of Zanzibar, (3) abolition of licence fee for export of cloves, (4) the abolition of one-sided levy on export of cloves by the Cloves Growers Association and modification of its other activities. Failing agreement of the Colonial Office to give effect to these minimum demands this Federation recommends to the Government of India the imposition of an embargo on imports originate from the Zanzibar Protectorate. The Federation urges that action should be taken in the matter of the marketing legislation of the Kenya, Uganda and Tanganyika Governments on the lines indicated in the reports of Mr K. P. S. Menon, I.C.S., who was deputed to investigate the situation on the spot. The Federation is strongly opposed to the extension of the highlands in the manner suggested in the Carter Report and the exclusion of Indians from the highlands of Kenya, and declares that any attempt to give statutory effect to this undesirable practice will arouse the keenest resentment in this country.

### Segregation in Africa

The Federation is opposed to the principle of the residential and commercial segregation of the Indians on which the Asiatic Land Tenure Act of the Union of South Africa is based, and urges the Government of India to consult the opinion of the Indian Community in South Africa about the recommendations of the Feetham Commission, and represent their point of view to the Union Government.

The National Federation once again accords its whole-hearted support to the Swadeshi Movement, and urges that every effort should be made for its complete success in all the branches of production, distribution and consumption.

#### Indian Industry

The Federation urges Governments in British India as well as the Indian States to utilise to the greatest possible extent the products of Indian Industry in meeting the requirements of consuming departments, and further, to give every possible help to manufacturers with a view to increase production, improve quality and reduce prices so that they may be able to compete with importers of foreign goods.

The Federation also urges the Governments in British India, as well as the Indian States to afford greater facilities for technical education of all grades and in all branches.

#### Rural Indebtedness

While approving the object of the laws passed in some provinces for the relief of agricultural indebtedness, the Federation is firmly of opinion that they will fail to produce a beneficial effect unless the Government (1) take suitable steps to provide adequate steps at a cheap rate of interest (2) advance money for the repayment to creditors as Mr Gokhale suggested in the Legislative Council of the Governor-General in 1906 and (3) supplement the legislation for the better organisation of rural credit including the establishment of land mortgage banks and the extension of the co operative movement.

While the Liberal Federation notices with satisfaction the practical interest which Government are at last evincing in rural uplift it regrets that they are working with inadequate funds and mainly through official agency and are spending an excessive part of the available money on salaries of staffs and establishments. In the opinion of the Federation the work can be done economically yet efficiently through trained unofficial agencies as far as possible.

#### Condolence Resolutions

The National Liberal Federation of India records its sense of deep sorrow at the death during the year of Diwan Bahadur L. A. Govindaraghya Aiyar, one of its former Presidents, Sir Deva Prasad Sarvadhikari, Dewan Bahadur V. M. Kelkar and Mr Gopal Krishna Devadhar a former General Secretary of the Federation, all of them staunch Liberals and earnest public workers. Their death is a great loss to the country and the National Liberal Federation offers its sympathy and condolences to the bereaved families and to the institutions with which they were prominently connected.

#### Untouchability

The National Liberal Federation feels the profoundest sympathy for the depressed classes and is utterly opposed to any person being regarded or treated as untouchable. The Federation wishes every success to the nation-wide movement for the removal of this blot upon India and for the elevation of those classes.

#### States Subjects

The National Liberal Federation re-affirms its complete sympathy with the aspirations of the subjects of Indian States for civic and political liberties, and regrets that in the large majority of States there is not as yet even the semblance of constitutional or representative government. It deplores the absence of any provision for the election of the States representatives in the future federal legislature and of any recognition of the rights of citizenship for the people of the States. The Federation again urges the ruling Princes to concede without delay the right of subjects to security of person and property, freedom of the press and association, and an independent judiciary as well as representative Government as a preliminary to full responsible Government within the All-India Federation.]

# The All India Hindu Mahasabha

Seventeenth Session—Poona—29th December 1935

Over 10,000 people including 1,000 Reception Committee members and equal number of delegates from all parts of the country and a pretty large number of women attended the seventeenth session of the All-India Hindu Mahasabha which began at Poona in a specially erected spacious pandal in the Tilak Memorial Hall, on the 29th. December 1935, Pandit Madan Mohan Malaviya presiding. Prominent among those who attended were the Raja of Bhore, Bhai Parmanand, Rev Ottama, Dr Moonje Mr Jayakar, Sree Sankaracharya, and Sir Malagaonkar Pt. Malaviya arrived at the pandal at quarter to three when he was given a rousing reception. Proceedings of the session then began with a welcome song.

The welcome song being over, an old Pandit with musical instrument recited 'lokas from the Samveda and offered holy water to Pandit Malaviya. Sree Sankaracharya next blessed the conference by showering his benedictions. He exhorted the audience to make Hinduism an all-embracing faith and asked all not only to remain steadfast but also unflinching in their faith in Hinduism. "This is an age of democracy and collectivism he declared pleading for unity and solidarity. Referring to Dr Ambedkar's threat of forsaking Hinduism His Holiness observed, "We are meeting to day under the shadow of a great menace. Continuing he said that logic of argument for change of faith was as much as saying 'since we do not get equality and freedom in India let us leave this country and be citizens of alien country. Concluding he urged the session to fight the monster of the Communal Award that threatened to devastate this country.

Pandit Malaviya next announced the intention of Mohan Paramarthgiri of Surajkund Math of Benares to collect and donate Rs 25,000 in five years. (Applause)

## Welcome Address

Mr N C Kelkar, Chairman of the Reception Committee then read his welcome address in the course of which he said —

The birth of the Hindu Mahasabha in Northern India was, it is supposed, due to the peculiar problem which beset the Hindu population in that region. The problem is how to counter act the encroachments and invasions on Hinduism by non-Hindu races and religions. A survey of the present state of affairs in Northern India will show that

(1) In the N W F P Hindi and Gurmukhi languages are threatened to be banned from even Hindu and Sikh educational institutions recognised by the Government of the province.

(2) In the Punjab, there is a reign of terror by Muslims by means of series of murders and economic boycott.

(3) In the United Province 85 p c of the Hindu population is being threatened with a Muslim chief minister with two other Muslim ministers and one Christian.

(4) Hindu subjects of Muslim States like Lohara, Malerkotla, Bhopal are ruled by Mahomedan officialdom, although the Hindus are overwhelming in number.

(5) In Bihar, Chota Nagpur, the Chief Secretary to the Government has issued a private circular to all police officers to prosecute Hindu Sabha and Arya Samaj workers who are working amongst the aboriginal tribes to save them from Christian missionaries.

And the communal riots have had their toll of many precious Hindu lives. No one can ever forget the dastardly murders of revered Swami Sadhanandaji and Ganesh Shankar Vidyarthi.

## POPULATION STATISTICS

But it would be quite a mistake to suppose that Maharashtra is free from its own difficulties and embarrassments over the problem. This can be seen from the following comparative table of the increase or decrease of Hindu, Mahomedan and Christian population in the Bombay Presidency during the last few years. To him who cast

even a cursory glance at the figures given in the Census Report for the Bombay Presidency it is as clear as day-light that Hindu population is not keeping pace with Moslem and Christian populations in respect of increase. Hindu population taken by itself is certainly not decreasing. Nevertheless the comparatively lower rate of increase of Hindu population than that of Moslem and Christian populations ought to set leaders of Hinduism furiously to think. The following figures tell their own tale —

	1921-1931
	Variation p. c.
Hindus	12.2 p. c.
Moslems	16.9 p. c.
Indian Christians	25.9 p. c.

Hindus thus register the lowest increase during the period between 1921-31. The rise of Moslem population is spread almost systematically throughout the divisions of the Presidency. The Mahomedans have increased in Gujarat by 15.1 p. c. in the Konkan by 15.6 p. c. and in Sind by 17.6 p. c., the over-all increase being 16.9 p. c. Taken by districts also, the Census figures conclusively show that the Mahomedans have improved their position in almost every district in the Presidency, the exceptions being Kolaba and Ratnagur in which the decreases are trifling. The variations of Hindu, Mahomedan and Christian populations in Urban and Rural areas also prove that Hindus fare the worst.

The increase in both Mahomedan and Christian populations is indubitably not due to natural causes. It cannot be explained away in that fashion. Though the exact numbers of converts to Islam and Christianity from Hindu fold are not available, it can be said without fear and contradiction that the campaign of proselytisation and offensively militant religions is succeeding in its purpose. The Census Report says thus about the rise in Moslem population "The rise is substantial and universal, so much so that it affords some basis for the claims advanced by Islam: i. e. numbers have recently been swelled by new adherents." As regards increase in the Christian population, the same Report has to observe "The birth rate among Indian Christians is probably slightly below the standard prevailing in the Hindu and Moslem communities as the whole weight of the Christian Church is opposed to early marriage. Therefore, it is clear that some major factor is influencing the figures and in the absence of other reasons it is permissible to hold that conversions are responsible for the wide divergences in the respective rates of increase." "The admission given by the Census Officer about conversions is on the face of it, very grudging and left handed. But even so there is a world of facts wrapped up in that admission. These conversions, again are drawn not from Moslems, nor from 'Touchable' Hindu and Jain castes—all honour to their impenetrable devotion to their religion—but mostly from the so called Untouchable Hindu castes. Ladies and gentlemen I do not mean to tire you out with a plethora of figures. My only object is to focus the attention of Hindu leaders in the Presidency on this aspect of the question of Hindu consolidation and warn the Hindu Community especially the more conservative sections amongst them, against their suicidal and unreasonable attitude towards the Untouchable and Depressed classes.

#### COMMUNAL RIOTS

Dealing with the topic of Communal riots, Mr Kelkar said "It is instructive to remember that 90 per cent of these Moslem aggressions happen to occur between the year 1921 and 1935. And these are precisely the years during which the Congress and Mahatma Gandhi put forward their best and most earnest endeavours to secure Hindu-Moslem unity, and the cause of the Khilafat was upheld by the Hindu leaders.

The trouble in these cases was in the nature of either riots or trespasses or false claims to property, or opposition to the exercise of the legitimate right of the Hindu to music or processions. It is well known who were the aggressors in all these cases. Also well known is what sort of protection was received from the authorities by the aggrieved parties. Nor can I compliment the Hindus themselves upon the courage and spirit of organisation shown by them in some of these cases. In a few cases where this courage and spirit of legitimate organisation was in evidence, the local Hindu community could show effective exercise of the right of self-defence, so that the habitual aggressor was deterred from the repetition of his offence.

Referring to the campaign of proselytisation which has been the cause of severe numerical loss to the Hindu Community Mr Kelkar said "The conversions made of minor Hindu children, even by well-intentioned Christian Missionaries are in my opinion, objectionable. And I see much reason in the suggestion made by Dr. R. P.

Paranjpye, the Vice-Chancellor of Lucknow University, to put all the business of conversion by any community beyond suspicion and reproach. Dr. Paranjpye has suggested that (1) conversion of minor should be in every case made '*ipso facto*' invalid (2) Even in the case of an adult conversion should not be held valid, unless the person files an affidavit before a Magistrate to the effect that he is changing his faith voluntarily, that is to say, with full knowledge of what he is doing and without fear force or fraud.

The need of such a legal precaution is all the more required to prevent the orgy of conversions made by Mahamedans. These are in a great many cases involuntary, or brought about by fear, force or fraud. They have not even the saving grace and the plausibility of the touch of philanthropy and charity, related to social service and social welfare of those who are converted.

I may point out that Dr. Paranjpye who has made this eminently reasonable suggestion, is not a Hindu Sabhante, he is a rationalist and is not partial to any faith, not even to the Hindu faith in which he was born. It may, therefore, be presumed that what he suggests is only with a view to put a stop at least to that portion of communal hatred which is due to the racing spirit of proselytisation on the part of Christian and Moslem Missionaries.

Concluding Mr. Kelkar said, "Maharashtra like other Provinces, has its own grievance against the communal award. Some wiseacres seem to think or fondly hope that the Communal Award will hereafter be a dead issue, now that it is encased in the Reforms Act. But it is like the hope of the ostrich, that the hunter has left the hunting field simply because the victim itself has thrust its own head in the sand and made the pursuer invisible. I have serious and lively apprehensions that the Communal Award, far from being a dead issue, will be a very display.

Dr. Ambedkar, a prominent leader of one section of the Harijan Hindus in Maharashtra, has sought to create a first class sensation by announcing his decision to give up Hinduism, because he has, as he says, become hopeless of the Hindu community recognising the claim of the Harijan community to a self-respectful civic and religious status within the Hindu fold. Of course, Dr. Ambedkar is free to do what he likes. But his threat to change his faith is as unjustifiable rationally as Mahatma Gandhi's threat three years ago to give up his life by fasting in order to secure for all classes of Harijans a proper share in representation in the new legislatures. It is a matter of regret that Dr. Ambedkar should not be able to properly appreciate the efforts that are being made not only by Mahatma Gandhi but by the educated people in the country as a whole, to obtain for the so-called Depressed Classes and Untouchables an equitable status. On the other hand, there is a chance that the Doctor's threat may fizzle out even as a sensation. Apart from Dr. Ambedkar not taking count of non-Mahar Harijans in his enterprise, even the Mahars as a whole class do not appear to look with favour upon the drastic method proposed by him for getting social justice. Probably they are more sensible than he of the unknown risks, to convert to other faiths, being possibly greater than the humiliation experienced in their own. On the whole, Dr. Ambedkar may rest assured that the future certainly is with those that are now struggling for equity, and that there is greater merit in fighting the battle with the opponents while remaining true to the old faith, than flying away from it with a defeatist mentality and a futile thirst for revenge.

But leaving aside the personal case of Dr. Ambedkar, I may point out that a preponderating opinion among the educated classes in Maharashtra is in favour of removing untouchability in all public places and functions by all legitimate methods, more especially the method of persuasion and conciliation so that the reform may be thorough and permanent.

Apart from the defensive work on the frontier, the Hindu Mahasabha must also exert itself most assiduously to consolidate its own ground internally. This can be done only keeping a broad outlook in life, recognising the new situation being created by the influence of world force upon every country and society, remaining sensitive to all that may be wholesome in all that may be new, and treating Hindu Society as a progressive living organism, though it may cherish its traditional reverence for seers and teachers of old. These were surely very wise in their own generation. But I am confident that if they could be invoked, on some kind of spiritual planechette, to descend amongst us to inspect our present situation, they will frankly advise us to make changes in our social and religious practices, openly acknowledge our right to do for our generations what they had to do for theirs, voluntarily withdraw their yoke of authority on us to enable us freely to reform our ways, and even affectionately chide us on our inability to see or guess that the bank account of Hinduism

dom is a heritage which we are allowed and expected to operate, just as our enlightened self-interest may advise and guide us for the welfare of our succeeding generations.

#### Presidential Address

Rev Ottama next suggested the name of the President which was seconded by Bhai Paramanand, and supported by Dr. Moonje, Mr. Jayakar, Lala Sevakram (Punjab), Mr. Shamocharan Sardas (Ajmer), Sri Narendranath Das (Bengal), Baba Jagatnarin Lal (Behar), Mr. Dasaram Bhagat (N. W. F. P.) Sardar Bahadur Mehtab Singh of the Gurudwar Prabandhak Committee, Kishan Bhagu (Haryana—Nagpur) Pandit Malaviya then took the chair amidst loud applause and was profusely garlanded.

Sr. R. G. Bhise, Secretary of the Conference next read the messages of good-will received by the Sabha, which included those from His Highness the Maharaja Gaekwar of Baroda, His Highness the Maharaja of Kolhapur, His Highness the Maharani of Satara, Sir Gokuldas Narang, Dr. Bhagwandas, Mr. Chintamani, Sir C. P. Ramaswami Aiyar, Sir P. S. Shivaswami Aiyar, Sir Jagadish Chandra Bose, Sr. Tushar Kanti Ghose, Sir Govind Pradhan and Mr. Jamnadas Mehta.

Pt. Malaviya delivered his presidential speech extempore. He began by thanking for the honour bestowed upon him and said that it was very disappointing that the most reactionary India Act should have been brought to bear upon India notwithstanding India's efforts for achievement of Independence. He further regretted the present situation as regards the relations that exist between the Hindus and Muslims in India and briefly recounted the circumstances that led to the failure of Allahabad Unity talks between himself and Moulana Bhanakatali. The Pandit said that he was prepared to give 32 per cent. to the Muslims at the centre but at the same time Sir Samuel Hoare promised them 33 and one-fourth per cent representation and that accounted for the failure of those talks.

Punditji next referred to the Frontier Government's Anti-Hindu Gurumukhi circular and characterised it as most unjustifiable and oppressive.

Coming to the present political situation, Punditji said that though the skies were overcast there was, however, no cause for disappointment. "Shall we rest unless we have achieved our freedom?—he asked (Cries of no no) "Shall we allow our homes to be devastated and we walk away? No. What shall we do? We must take courage. There will be hope in us as long as there is breath in our bodies. We shall not rest until we have got Swarajya which must be ours. The flame of nationalism has got to be lighted in the hearts of all Indians and unity between communities, castes and creeds must be its effects.

Proceeding Punditji laid stress on propaganda for physical education and military education. He also advocated spread of commercial education and cottage industry.

Turning to the question of conversion of Harijans, Punditji said that he thought that Dr. Ambedkar laboured under mistaken notions. Hinduism is the most liberal religion in this world, he said, and the same shastras governed the Harijans and others. The same spirit of love for religion existed in the hearts of the both. There should be made no difference between the Harijans and touchables as far as access in public places were concerned.

We want to draw away the thorns that are spread in our way and not increase their number," Malaviya continued. The keystone of the situation lay in the fact that Hindus should not look down upon the Harijans but instead think lovingly of their uplift. He said he intended to raise a big fund within the coming 12 months and give them some 'Mantra Diksha' with which all their disabilities would go except those of dinner and marriage. The main task before the country was the protection of religion. "Let the Harijans not forsake it and we will apply the dust under their feet to our foreheads", (applause), declared Malaviya.

He said that he intended to appoint committees at all places large and small which would look after the troubles between the touchables and the untouchables and conciliate them. These committees would be composed of both touchables and untouchables of that place. There would also be an all-India Lokashukhan Samitee which would work for the spread of literacy all over the country. This work would need a fund of one crore of rupees and he hoped it would be forthcoming.

After Malaviya's speech the day's session of the Mahasabha adjourned.

#### Second Day—Resolutions—31st. December 1935

One resumption of the open session of the Hindu Mahasabha this afternoon, Reverend Targaji of Japan who was attending this session gave discourse in Japanese on the unity of Hindus and Buddhists.

Dr Radhakumud Mukherjee next moved a resolution saying that the Mahasabha condemned the Communal Award as it was grossly unjust to the Hindus and Sikhs as also anti-national and undemocratic and made the growth of responsible Government in India impossible. The resolution was carried on being seconded by Diwan Nanak Chand and Mr Ramnath Kalia of Delhi.

His Holiness Sankaracharya Dr Kurthi then moved the following resolution regarding the removal of untouchability —

"The Hindu Mahasabha reaffirms its previous resolutions for giving equal access to all Hindus irrespective of their particular caste or creed to all public amenities and institutions such as schools, wells, tanks, ghats and other places of water-supply, hotels, roads, parks, Dharmasalas and public places of worship and burning ghats and the like. It further recommends to the Hindus the abolition of all distinctions in the Hindu society based on birth or caste in the spheres of public, social and political life in which such distinctions ought to have no applications and are out of place in the present age."

Before the resolution was actually moved Pandit Malaviya disclosed to the House how the Committee was divided on this resolution, one section of delegates having insisted that inter marriages and inter-dining should be included as a means in the anti-untouchability campaign. Sankaracharya condemned the resolution for acceptance by the House with an impassioned and stirring address. He said, in fact, there was no need for such a resolution being formally moved and adopted by the Sabha and the same work ought to have been done by the populace intuitively. His Holiness was aware that though all agreed as to the principle of the removal of untouchability there was difference as to the details of the lines to be followed. But His Holiness hoped that could be safely met in future.

Mr Rasiklal Bhowas, the Bengal Harijan Leader in seconding the proposition said that Harijans would be thankful to the Hindus for gesture displayed in this resolution. He assured the Sabha that Harijans would love Hindutva and cherish the hope of seeing the it spread all over the world. Amidst loud applause he declared that the Harijans would not only love to remain Hindus but they would die also as Hindus.

Several speakers including a number of Harijans supported this resolution. Messrs. Lavate and Kote were the only two Sanatanists who opposed the resolution. The resolution was then carried without any dissentient.

The Mahasabha next passed resolutions regarding the establishment of "Rescue Homes, the Bhaidaganj affair, the Frontier Governments Hindi Gurukulis circular.

It also appointed a Committee of 17 persons including half a dozen Harijans to consider a five-year plan of removing the disabilities of the Harijans. The Comm tee is to report to the Working Committee of the Mahasabha within six months.

After Pandit Madan Mohan Malaviya's concluding remarks the session of the Mahasabha terminated.

## THE U P PROVINCIAL HINDU SABHA

The annual general meeting of the Provincial Hindu Sabha was held on the 3rd November 1935 at the residence of Raja Sir Rampal Singh, 12 Clyde Road, Lucknow under the presidency of Thakur Suraj Nath Singh, advocate, Azamgarh. The hall was packed to the full, and more than a hundred delegates representing about 22 districts were present. At the start of the proceedings Raja Durga Narayan Singh of Tirwa, the President of the Sabha, made a statement in English which was translated into Hindi by Th Suraj Nath Singh.

A little before 2 o'clock, the time scheduled for the meeting, a group of persons about 40 in number, armed with *dandas* and *lathis* rushed into the hall and occupied it. On being requested to vacate as it was open to members only, Pt. Deo Narain Pandit declared himself as president of the meeting and wanted to occupy the presidential seat. While he was being asked not to behave unconstitutionally, the men began to assault with *lathis* and *dandas*. The police had to be phoned to and as soon as they arrived the men fled away. Some of the members received injuries.

Thereafter Pt. Ram Kumar Tripathi, with the permission of the Chair moved a resolution which was seconded by Pt. Bal Krishna Sukla, advocate and chairman, district board, Unao, and supported by Mahasabha Kedar Nath of Fyzabad and Thakur Murti Singh, advocate, Basti. Pt. Bal Krishna Sukla in seconding the resolution made an impressive speech eulogising the services of the Raja Sahib to the cause of the



Hindu community and in the course of his speech mentioned the fact that Rai Bahadur Babu Vikramajit Singh had seen him in the morning at Unao to dissuade him from attending to-day's meeting. But he did not yield to his undue pressure. He also condemned the aggressive and unbecoming action of the party of the hooligans who tried to disturb the meeting. The resolution was unanimously adopted amidst great acclamation.

After the resolution was passed Mahashaya Kedar Nath of Fyzabad asked the Raja Sahib to explain his views on the rumour set afloat by certain persons about his alliance with Nawab Sahib of Chhatar. The Raja Sahib with the permission of the chair said that he had already contradicted this news but would again assure them and others outside that this allegation was absolutely baseless and wrong. He would never do anything to injure the Hindu interest.

The next item dealt with was the election of the office-bearers and members of the working committee.

The following resolution of Mr K K Chaudhari was then considered and unanimously adopted.

'Resolved that a sub-committee of 15 persons of the province with the mover as the convener be formed to look after and give such help as needed in all communal and other such affairs.'

Sri Chidanand Sanyal next moved the following resolution —

'That this meeting of the U P Provincial Hindu Sabha strongly condemns the hoodlums and goondas of a group of people who came in two lorries and a car armed with lathis from Cawnpore and those at the back of it.'

The following resolution was also adopted —

'That this meeting of the Provincial Hindu Sabha hopes and trusts that Dr Ambedkar will listen to the advice of revered Pandit Madan Mohan Malaviyaji and will not do anything without consulting him.'

With a vote of thanks to the chair the meeting terminated.

#### Raja of Tirwa's Statement

The following is the statement made at the beginning by the Raja Sahib of Tirwa —

I have seen reports about the so called meeting of the Provincial Hindu Sabha held at Cawnpore on Oct. 30, 1935. This meeting was convened without my permission and consent and were it not for the misapprehension that it is likely to cause in the mind of the public I would not have cared to take any serious notice of it. I wish to give a brief statement of the facts leading up to the Cawnpore meeting and the reasons which appear to have led certain friends to cast aspersions on me.

Rai Bahadur Babu Brijendra Swaroop has been the president of the Town Sabha, Cawnpore. A meeting was held to elect new office-bearers in July and R. B. B. Vikramajit Singh managed to get himself elected as president in place of the former. This election was challenged before me on the ground of certain unauthorized persons having taken part in the voting and on certain other grounds. I did not consider it proper to pass any orders on it myself and I, therefore, directed a meeting of the executive committee to be called on Sept. 29 1935, to decide the question and restore the status quo ordering the old committee to function until the decision of the executive committee. The latter met on the 29th (26 out of 27 members being present) and appointed a committee of the following gentlemen to enquire and report — Pandit Rajnath Kunzru, Pandit Jai Dayal Avasthy and Thakur Bishambhar Singh.

For reasons best known to them R. B. Babu Vikramajit Singh's party was not satisfied with the personnel of the committee although the names were decided after both parties were heard and by a majority of votes. A requisition was sent to me objecting specially to the third name on the ground that he belonged to Cawnpore but this point had been raised in the meeting also and it had already been decided not to elect any one from Cawnpore city. The above gentleman had absolutely no connection with the town committee and was president of the Cawnpore Sabha and a resident of the mofussil. The matter having already been decided by the executive committee I considered it a waste of time to convene another meeting simply to delay and obstruct the proceedings of the inquiry committee, whose personnel I had no personal authority to change. Feeling personally their insecure ground and not succeeding in their obstructive policy, Babu Vikramajit Singh felt aggrieved at my conduct though I was hopeless to help him in the matter. He, therefore, thought of launching his attack on the Provincial Hindu Sabha itself and managed to get a

notice circulated for a meeting of the Provincial Sabha without my permission and consent. Two of the secretaries signing the notice did so on the clear understanding that my consent would be obtained for the meeting. Pandit Raghunir Dayal Bhatt's writing is in my possession and Pandit Jai Dayal Avasthy had come over and assured me verbally on the point. Still the meeting was called even though I had never given my consent to it. Now, as to the charge levelled against me

1. Neglect on my part to safeguard the interests of the Hindus of the province in the provincial legislature

Every one knows that the number of Hindu seats in the legislature has been fixed by the communal award by Mr MacDonald. I fail to understand how or for the matter of the fact any other Hindu could add a single seat in the legislature after that. As to the deputation committee, its scope was only to fix the limits of constituencies and the number of seats that could be allotted to any district. The public would like to be enlightened how any Hindu seat could be added or subtracted by this committee.

2. Acting unconstitutionally in the matter of the Town Hindu Sabha election, I have narrated the facts above. It remains for the Hindu Sabha public to judge whether it was my individual action or that of the provincial executive whose authority I could neither usurp nor overrule. It only remains to add that the report and the decision of the committee has been received by me and is against Babu Vikramjit Singh's party. It is probably this apprehension of this result on their part which led them to make frantic and unconstitutional efforts in the manner they have done.

3. and 4. In not ruling the meeting of the executive of the 29th September as illegal. About this also facts have been given above. Twenty six out of 27 members attended, yet it is said that notice was not issued.

5. Declaring Th. Bishambhar Singh's committee as illegal. I did nothing of the sort. The executive committee had elected him by a majority and I would have been wrong if I had vetoed their decision arrived at after considering the pros and cons of the matter.

6. Being wrong in the convening of the meeting of the 3rd November. I as president always have in the past called or directed meetings to be called but on this occasion, as it did not suit the purpose of an interested section, I am said to be wrong. I need not enter into greater details at present about the bogus and stage-managed meeting of the 30th October at Cawnpore. Its nature and objective are too obvious to need much comment. I have been serving the Hindu community for the last 12 years in various spheres in my own humble way. My activities date since a period when local municipal elections and council entry questions were never guiding factors. By what motive the other party is inspired and whether by creating division in the Hindu community when unity was needed more than ever it is serving or sacrificing the larger interests of the Hindu community I leave it to the general public to judge.

#### A Disclaimer

Statement by Pandit Shrish Chandra Shukla, general secretary of the Provincial Hindu Sabha held at Cawnpore on Oct. 30 —

'As general secretary of the U P Provincial Sabha elected on the 30th October 1935, at Cawnpore I must entirely disassociate myself from the action of all those who helped, planned or created disturbance in the meeting of the Provincial Hindu Sabha held at Lucknow, 12 Clyde Road, on Nov 3, 1935. I wholly condemn the idea of sending some non members on lorries from Cawnpore to Lucknow with the mission of capturing the rival meeting. I am sure that Rai Bahadur Babu Vikramjit Singh will also openly disassociate himself for the unfortunate activities of his Cawnpore friends.'

### THE ASSAM HINDU CONFERENCE

The Assam Hindu Conference concluded its session at Newgong on the 26th December 1935 after passing several resolutions. Of the seven resolutions passed three were put from the Chair, reiterating resolutions passed in previous sessions regarding Buddha, Sangathan and cow-protection. The fourth resolution evoked great interest. It asserted legitimate rights of the depressed class Hindus for equal status with caste Hindus in religious and social functions, entry into public temples, unrestricted use of public wells and school and college hostel accommodation and strongly favoured doing away with invidious distinction in the above matter.

*Rai Sahab Sonadkar*, the Assam depressed class leader moved the resolution referring to the reported intention of Dr Ambedkar to leave Hindu religion, the speaker said that he knew Dr Ambedkar personally and intimately and he could never believe that Dr Ambedkar would leave the Hindu religion, the most elastic of religions.

*Dr Moomey* speaking on the resolution said that he did not believe in caste system nor could he reasonably support the same but it was not right to say that the Brahmins created castes. In the past non-Brahmins by their learning gain the respect and regard of their superior classes. The depressed class people instead of seeking remedies elsewhere should earnestly strive for the extension of education among themselves. Regarding legislative action he called it a foolish idea. He appealed to the "depressed classes" to shake off inferiority complex and work in harmony and co-operation with caste Hindus. He requested caste Hindus to treat Harijans like brothers and hoped that labours of great reformers like Mahatma Gandhi would become more successful than hitherto.

The resolution was passed without opposition.

In another resolution an appeal was made for the co-operation of the Hindus for giving better facilities for the education of ten lakhs of tea garden labourers, working in Assam and also aboriginal tribes e.g., Lahnges Mikirs, Kacharies, Garoes, Nagas, Khasis, Miris and for keeping them within the Hindu fold and checking their conversion to other religions.

*Pandit Jagatnarain Lal* made the concluding speech for the President. He said that although several forces were working for the undermining of the Hinduism, there was no cause for despair. He appealed to the Hindus to follow Japan's ideal of plain living and high thinking and to dream of greater Hinduism comprising of Japan and China also.

## THE PUNJAB & FRONTIER HINDUS' CONFERENCE

The Punjab and N W F Hindu Conference opened at Campbellpur on the 25th. December 1935 in a spacious pandal erected for the purpose in the local cricket ground amidst scenes of enthusiasm.

A feature was that the Congress participated in the Conference and a large number of ladies were present. About 400 delegates drawn from all districts attended the Conference. Notable amongst those were Jagatguru Sankaracharya, Mahant of Sula Mandir, Pir Kalanath, Professor Gulshan Rai, Pandit Lakshmi Narayan Soodan, Dewan Gopal Dass and others.

*Lala Karamchand*, Chairman of the Reception Committee, welcomed the delegates. At the outset, he cleared up the misunderstanding in certain sections that the Sanatanist Conference was opposed to the so-called Depressed Classes Sanatanists, on the other hand, had very becomingly treated the Depressed Classes as part and parcel of the body politic. Alluding to certain bills pending before the Central Legislature, such as Dr Bhagawan Das's Hindu Marriage Validation Bill, Dr Gour's Divorce Bill and others, the Chairman appealed to the delegates to make the introduction of similar measures impossible by their elected representatives.

### PRESIDENT'S ADDRESS

*Mahant Ramdas* of Pandauri, who was then formally elected President, also supported the Chairman in opposing the legislative measures interfering with the religion and freedom of a large section of the subjects.

Continuing his address, the President vehemently opposed marriages outside the castes and inter-dining. In respect of "devadarshan" and access to duty in the temples the President deprecated the efforts of those reformers and reiterated that the Depressed Classes should be satisfied with the domes of the temple, as according to the Sastras they were entitled only to this extent.

As regards the question of temple reform, the President stated that those persons who constitute a majority amongst the so-called reformers never visit the temples and they have no right to impose their will on the temple-going public. The President strongly resented the attempt of any legislature in this respect and appealed to the Sanatanists to devise every means to assert their religious rights.

After appealing to the delegates for strengthening the Sanatanist principles, the President stressed the necessity of starting an orphanage under the Central Organisation with a view to taking hold of the unfortunate children of their community and the establishment of a Widows' Home in every Province in view of the suffering of the widows.

# The Khalsa Durbar

A bitter attack on the Communal Award and an earnest appeal to the Sikhs to organise and unite were the outstanding features of the presidential address of *Sardar Mangal Singh*, at the Khalsa Durbar held at Moga on the 26th December 1935

"More than three years ago the whole Panth assembled at Sri Akal Takhat Sahib, the Holiest of the Sikhs Holies unanimously resolved to constitute the Khalsa Darbar to carry on persistent and vigorous agitation against the so-called Communal Award till it is modified in a way satisfactory to the Sikhs

"One year later at a joint session of both the Central Sikh League and the Khalsa Darbar it was decided to merge the League into the Khalsa Darbar so as to form a united strong central political organisation of the Sikhs. Under the new Constitution the membership of the Khalsa Darbar has been thrown open to every Sikh and after holding general elections this year its organisation has been completed with branches established all over the country

"The Khalsa Darbar, being the most democratic and representative body, can be regarded as the supreme political organisation of the Sikhs and, as such, has the fullest right and the authority to speak for and on behalf of the Panth as a whole in matters political

"At a time like this we should close up our ranks and present a united front to successfully meet the coming political exigencies. Let the Khalsa effectively demonstrate that whatever their mutual differences all the Sikhs can be united at a critical juncture when Panthic welfare, Panthic prestige, and Panthic honour are in danger. The most important questions that are agitating the mind of the community are the Communal Award and the new constitution, the Shahidgunj and the Kirpan questions. With your permission I propose to briefly offer my observations in these matters

"Ever since the announcement of the Communal Award by the British Government the Sikhs have been most vehemently protesting against the Communal Award with singular unanimity and perseverance. The opposition of the Sikhs to the Communal Award is not due to the desire of the Sikhs to oppose the legitimate demands of the Muslims with whom we want to live in friendship and cordiality but we oppose the award because it places us under an unchangeable and irremovable, statutory communal majority whose decisions we can not modify and whose opinions we can not influence

"We oppose the Award because the Government proposed to be established under it is neither responsible nor representative. It will only be responsible to a section of the population and not to the people as a whole. We oppose the Award because we, who contribute about 40 per cent of the revenues of the Province, will have practically no voice in spending them. We oppose the Award because in our own land, the birth place of the Sikhism where we have enormous stakes, we are being reduced to virtual political helots. This does not at all mean that we are not prepared to submit to any non-Sikh majority

Our objection is to the creation of a standing irremovable and irresponsible statutory communal majority. We will be prepared to be governed by a non-Sikh majority provided it is based on other communal considerations, but can, under no circumstances whatever, stand this most hideous constitutional absurdity

"The reservation of seats for majorities is indefensible and unheard of in the constitutional history of the world. In this respect we do not stand in isolation but we are supported by several unimpeachable authorities of which I will quote only two.

Referring to this question the Nehru Committee wrote

"Reservation for a majority is indefensible in theory. It is an artificial restriction on the growth both of the majority and the minority and must necessarily retard national progress. A majority reservation or other fixation of seats is incompatible with real representative and responsible Government. It obviously interferes with the right of the electors to choose whom they like. It is not only a negation of representative government but it is in direct conflict with the principle on which responsible government rests. It is absurd to insist on reservation of seats for the majority and claim full responsible Government.

"Responsible Government is understood to mean a government in which the Executive is responsible to the legislature and the legislature to the electorate. If the members of the Executive with the majority behind them have all got in by reservation

and not by the free choice of the electorate there is neither representation of the electorate nor any foundation for responsible Government. Reservation of seats for the majority community gives to that community the statutory right to govern the country independently of the wishes of the electorate and is foreign to all conceptions of popular government. It will confine minorities within a ring-fence and leave them no scope for expansion."

Even the Simon Commission said

"It would be unfair (they wrote) that Mahomedans should retain the very considerable weightage they now enjoy in the six provinces, and that there should at the same time be imposed, in face of Hindu and Sikh opposition, a definite Muslim majority in the Punjab and in Bengal unalterable by any appeal to the electorate. We cannot go so far. If you place us under an irremovable executive without providing any constitutional remedy to turn it out from office, what other alternative do you leave for the opposition except the force of arms? Is that I ask in all seriousness desirable or proper or in any way conducive to good Government?"

Again we oppose the Communal Award because it is anti-national and places insurmountable obstacles in the way of national unification and realization of National ideals. We oppose the Award because it is unjust to the Sikhs and Hindus and particularly injurious to the legitimate rights and interests of the Sikhs. We maintain that justice and fairplay demand that a uniform formula should have been evolved for the protection of the rights and interests of the minorities, irrespective of creed, colour or race. But the great British Government who profess to lay claim to justice and fairplay have grievously failed in this matter.

"They have treated different communities on different basis for reasons best known to themselves. It has been admitted that Sikhs are a distinct and important minority whose interests are to be safe-guarded like those of the Muslims, Indian Christians, Anglo-Indians, Europeans. But the Sikhs have been singled out for most unfavourable treatment. Let us study the figures. The Muslims who are 14 p c of the total population in U P have been given 30 p c representation while the Sikhs who are 13 p c in the Punjab have been given less than 10 p c. In Bihar the Muslims are 10 p c and they get 25 p c and in Madras they are 6 p c, but they get 18 p c. Referring to this step motherly treatment meted out to the Sikhs Mr. Raghunandan Sinha ex-Finance Member, Bihar and Orissa says

"Such instances of want of any definite principle (in the distribution of seats) may easily be multiplied perhaps the most glaring of which is the maintaining of weightage of 30 p c. seats for the Muslims in U P who constitute 14 p c as compared with the 18 p c representation now granted to the Sikhs in the Punjab who also total the same. There can thus be little doubt that the Award does not rest on any sound principle."

In the name of justice and fair play I on behalf of the Sikh community call upon the British Government to reconsider the case of the Sikhs and modify the Communal Award so as to do justice to the Sikhs and Hindus who have been grievously wronged in this matter.

The new constitution which was under consideration when we met last time is now a settled fact so far as the British Parliament is concerned. In spite of the vehement protests and prayers of the whole country and in spite of the resolution of the Legislative Assembly as representing the people of India the British Government have not considered the unanimous opinions of the whole of the Political minded India. It, therefore, cannot be regarded as an agreed constitution but as a constitution which has been forced upon an unwilling and helpless people. Faced with such a situation what should we do under these circumstances is a plain question which requires equally a plain answer. Fortunately there is a consensus of opinion among the Sikhs as regards our future course of action about the coming constitution. Boycott is out of the question for obvious reasons.

"Placed as we are under the peculiar position a minority community like ourselves cannot afford to be indifferent to the coming constitution whatever its shortcomings and whatever its defects may be. There is undoubtedly a great danger ahead and in order to meet that danger and all other political exigencies arising therefrom we have to mobilise all our forces to the best of our capacity.

Bardar Mehar Singh then proceeded to refer to the Shahidganj dispute, "that is uppermost in the minds not only of Punjab but of all Indians." He made a brief survey of the past history of the Gurdwara Shahidganj to show that the place was associated with Sikh martyrdom and hence held sacred by the Sikhs. He also exami-

ed at length the legal and other aspects of the dispute and quoted extracts from various official and other authoritative documents to show that for over 150 years the Sikhs had been using the place for their religious and secular purposes

"The speaker then narrated briefly the events in the recent agitation commencing from July and emphasised that the Sikhs had shown marvellous self-control and discipline. He criticised the Government for advancing the plea of moral responsibility of the Sikhs and said, "For the first time we believe it has been seriously propounded in an authoritative statement issued by the Government that though the law may be on the side of the individuals the Government reserves to itself the right to pronounce on the moral responsibility of the exercise of the legal right. If the Sikhs are legally entitled to do what they have done no question of moral responsibility can arise." The position taken up by the Government was unfortunate not only in regard to this particular case, but because it was likely to have serious reaction on the respect that the law and legal decisions should inspire

"Dealing lastly with the ban on the Kirpan Sardar Mangal Singh stated that for the first time in the history of British rule, Sikhs had been prohibited to carry the Kirpan which was one of the essentials of the profession and practice of their faith. While there had been prosecution of Sikhs in respect of the length of the Kirpan, the Kirpan, as such had never been interdicted even during serious riots and disorders in the past. The whole community had been perturbed over this direct interference with their religion and the higher authorities had been moved to intervene

He added, "The Sikh Gurdwara Prabhandak Committee Executive, I am sure, will take suitable action in order to indicate the position of the Sikhs and I hope that every Sikh to a man will stand by the Sikh Gurdwara Prabhandak Committee. I may here clear the position that the Sikhs have absolutely no intention of disobeying any other order, which has been passed to restore peace and order. Their sole objection is against the ban on the kirpan. Sikhs are anxious to see peaceful conditions fully restored and nothing can be farther from their mind than to further complicate the already difficult situation.

## The U. P. Provincial Muslim League

The annual session of the U P Provincial Muslim League which was revived after eight years of inactivity opened at Lucknow on the 26th October 1935 under the presidency of Khan Bahadur Hafiz Hidayat Hussain.

The *Raja Sahib of Nanpara*, chairman of the reception committee, welcoming the delegates, declared that the existence of a body like the Muslim League might contribute towards national unity and could in no way make for disunity among various communities. Since the weakening of the Muslim League the communal differences had been raising their heads and as both the League and the Congress had now lost their sway over the masses, the efforts of the leaders of both organizations to bring about communal harmony had repeatedly proved abortive.

Recognising the vital necessity of Hindu Muslim unity the Raja of Nanpara stressed the need of organization among Muslims themselves. He also advocated the establishment under the aegis of the League of an economic organisation for Muslims, just as spinners association had been formed under the auspices of the Congress, with a view to improving the economic condition of Muslims.

### PRESIDENTIAL ADDRESS

*Hafiz Hidayat Hussain* then delivered his presidential address in course of which he said —

"The time has arrived for us to join hands with other communities without losing our individuality or even forsaking our distinctive plan of work, to work together for the benefit of the country and to form political parties in the new legislatures on non-communal lines. A committee should be appointed to negotiate with non-Muslim parties with a view to arriving at an agreement with regard to Muslim safeguards. We should also try to settle communal matters on a provincial basis. No

communal settlement has been possible up to this time, because efforts have always been directed towards making an all-India settlement which from the inherently impossible nature of the task, have always proved infructuous.' He also pleaded for the support of the all-India Muslim League and its provincial branches, 'for after all the League is the one organisation whose doors are open to Muslims of varying hues of political thought and who could say that an Ansari or an Abul Kalam is less enthusiastic for Muslim welfare than any of those who are to-day dubbed as Muslim communalists.'

Outlining the work before the Muslims, Hafiz Hidayat Hussain said "The Muslim must be active, must be organized, must be informed and permeated with a true spirit of democracy, must be a force for the good of the community and the country. His allegiance to the Government of the country must be of a very different character to what it used to be. He must learn the dignity of true sacrifice and true patriotism. It is an irony of fate that the Muslim, cosmopolitan both by teachings of history and religion and catholic by natural instincts, should have been driven to seek for safeguards and that for this reason the combined force of the community in the service of the country should have at times been dissipated, though it cannot be denied that in the fight for freedom and in the position in which India finds itself to-day the Muslim share is considerable. It cannot also be denied that not even tardy recognition has been given to the community by the sister communities of India for its sacrifices and, therefore, the position in which the community finds itself is one forced upon it and is not of its own seeking. The work before the Muslim community of these provinces is, first to secure its adequate share in the services of the State and of all statutory self governing bodies, and, secondly, to secure protection of Muslim culture and promotion of Muslim education, language, religion, personal laws and Muslim charitable institutions and also to secure due share in the grants-in-aid both in education and industries. The Instrument of Instructions to the Governor which under the new constitution will have the force of law and the regulations to be framed under the rule making powers should enunciate these rights of the Muslims. They are essential for the security of Muslim economic, social and religious life as also for their political existence.

'No programme of work for the Muslims can, however, be implemented without the Muslims being properly organized. The need for this organization is all the greater in these provinces considering the orientation of the government that is going to be, the proportion of the Muslims in population and the importance, both social and political, of the community. It is urgently necessary that Muslims should formulate an act on a definite policy for the direction of their actions. Without a powerful organization there is fear of the Muslims being used as pawns in the political game of the country. An organization such as the one I am advocating should reach the masses, and above all every effort should be made through this organization to improve the economic condition of the Muslims for economic sanctions are more necessary for the life of the community today than even political sanctions. I want district Muslim leagues to be formed and the message of the League to be conveyed to every home and hearth.

In this connection the president made a special reference to the invaluable services rendered by H. H. the Aga Khan for what he has done for the country in general and for the Muslims in particular, and said "His Highness is a unique personality in the Muslim community and occupies a position of the greatest dignity and eminence abroad.

As regards Hindu-Muslim quarrels, Hafiz Hidayat Hussain said "It would be profane to say that religion is at the bottom of these quarrels. The causes in my opinion are partly economic, partly 'psychological' and partly political. 'I hope I will not be taken amiss,' he continued, 'if I venture a word to my Hindu brethren. You form an overwhelming majority—nobody can dispute your right to rule in the provinces where you are in a majority. But it should never be forgotten that the problems of India are permanently linked to and pivoted on the vexed question of minorities. The minorities have, therefore, to be treated justly and in a spirit of accommodation, for after all the right of the majority to rule is subject always to the necessity that it does not outrage the feelings of the minority. This applies with all the greater force in a country like India where the majority is a permanent and unchanging numerical majority and could never become a minority and a minority like that of Muslims is in many cases a racial, religious and permanent minority and could never aspire to become a majority. It is, therefore, not the demand of patriotism that the Muslims may be made to inwardly feel a complete sense of security and of confidence

in the future Government of the country, if a feeling that their rights are safe in the keeping of the majority? What then is the purpose in keeping alive the controversy over the Communal Award, which was not of the seeking of the Moslems and does not half meet their demands? How is the best interest of the country promoted by making an issue of it in electoral campaigns?

"We all, Hindus and Moslems, want real Swaraj for India. This Swaraj cannot be attained without real Hindu Moslem unity, which implies a change of heart on both sides, and without solution of the Hindu-Moslem question which connotes accommodation and toleration on either sides.

Referring to the Government of India Act, the president remarked that it was the result of a compromise between the diehards of England and the party in power and as such it had satisfied no considerable section of any community or party in India. He criticized the main provisions of the Act, mostly relating to the centre but conceded that in the provincial scheme a distinct step forward had been taken, an element of real responsibility had been introduced and there was enough scope for working. The duty of Indians of all shades of thought, he advised, should now be one of co-operation and constructive statesmanship for after all the constitution was not unworkable and no gain would accrue to India by following a policy of negation and sterility.

The new constitution would be ushered in these provinces by Sir Harry Hag who at the Round Table Conference, always exercised his influence for the good of India. Sir Harry Hag has both sympathy and understanding and combines in his personality force of character and gentleness of heart. I personally feel no doubt that in the execution of his duties as Constitutional Governor, he will infuse new blood into the administration and succeed in the task of winning all the communities and parties of these provinces to a continuance of cooperation which alone will make the new constitution possible.

He concluded by alluding to safeguards for Moslems which, he said were exiguous and at best provided something in the nature of a guard rail, though no Moslem would be justified in resting his hand heavily on such a balustrade. Besides, the safeguards were misplaced if a safeguard, he argued, was meant for the protection of a minority. It should be in the hands of the minority to bring it into operation when needed.

The president also referred to the Shahudganj Mosque question and said that the Government as well as the Sikh community were aware of the strength of feeling that the demolition of the mosque under the British bayonets had aroused in the whole Muslim community. Naturally the Moslems of these provinces could not but be deeply affected by the incident. This was not a closed question and the Moslem mind would not be allayed till sufficient restoration has been made.

## THE ASSAM MUSLIM POLITICAL CONFERENCE

The Assam Valley Muslim Political Conference was held on the 8th September 1935 at the Curzon Hall, Gauhati under the presidency of *Khan Sahib Miranur Rahman*.

The Chairman of the Reception Committee, welcoming the delegates, dealt with the present political situation, and said that the Government of India Act, which was highly unsatisfactory, inadequate and disappointing, was against the real interests of India, but in the interests of Britain and Imperialism. He advised capture of the legislatures for a national effort to reach the ultimate goal. As regards the communal question, he declared that Muslims would never be found wanting in India's struggle for freedom and that the Congress attitude was healthy for the solution of the vexed question. He hoped that the Jinnah-Rajendra Prasad talk would soon materialize. The Communal Award had unduly favoured Europeans at the expense of both Hindus and Muslims of Assam.

Dealing with the Sylhet separation question, he said that, provided that adequate minority safeguards were guaranteed, the province should be reconstituted as a homogeneous Federal Unit by the separation of Sylhet, excluding the Jaintia Parganas and tea area, and appealed to all parties concerned to come to an agreement.

He next advocated the formation of an Assam Settlers Welfare Committee to work in the interests of immigrants. Regarding the Delimitation Committee, he pressed the



Assam Valley Muslims' demands for 14 seats in the Lower and 3 in the Upper House of the Provincial Legislature, and one seat in the Upper House and one reserved seat out of the three allotted, with right to contest additional seats, in the Lower House of the Federal Legislature. He made a fervent appeal for four seats for Kamrup.

The presidential address reiterated all the points in the Chairman's address. In his concluding remarks he congratulated the conference on the Sylhet resolution and thanked the Assam Association and other organisations for their support to the Muslim demands. He endorsed the legitimate demands for 32 general seats against the 29 allotted and one additional depressed class seats for the Assam Valley and urged their acceptance by the Delimitation Committee.

Resolutions were passed advising Muslims to capture the legislatures notwithstanding the unsatisfactory nature of the Constitution and appointing a delegation under the leadership of Sir Syed Saadulla to meet the Delimitation Committee with Mr. F. Ahmed as secretary in order to negotiate with the non-Muslim parties concerned with a view to arriving at an agreement regarding Muslim safeguards on the separation of Sylhet from Assam. A resolution urging separate allocation in the Public Services for the Assam Valley Muslims was passed and a deputation to the Governor was formed. Demands were also put forward for a University, High Court and Girls Intermediate College for Assam.

## The Bombay Depressed Classes' Conference

A complete severance of the depressed classes from the Hindu fold and embracing any other religion guaranteeing them equal status and treatment with other members of faith, was the gist of the resolution passed unanimously at the Bombay Presidency Depressed Classes Conference held on the 13th October 1935 at Yeola, Nasik district.

The resolution was adopted on the advice of Dr. Ambedkar, president, who speaking over an hour bitterly recounted the treatment meted out by caste Hindus to Harijans. So far, he said, they had been unsuccessful in their efforts to bring about a change of heart and it was futile to waste their energies and money in further trying to get redress and work in harmonious cooperation. He declared that after deeply pondering over a way out he had come to the conclusion that the best way was a complete severance from the Hindu fold. "We shall cease our fight for equality where we have been denied it. Because we have the misfortune to call ourselves Hindus we are treated thus. If we were members of another faith none dare to treat us so."

Dr. Ambedkar in asking them to embrace another faith left the choice to individuals, saying "Choose any religion which gives you equality of status and treatment. He concluded "We shall repair our mistake now. I had the misfortune of being born with the stigma of an untouchable. But it is not my fault and I will not die a Hindu for this is in my power."

The audience was visibly moved by the speech and acclaimed his suggestion. The meeting passed the resolution unanimously. The Conference was attended by nearly 10,000 people.

## Rao Bahadur Rajah's Weighty Statement

Rao Bahadur M. C. Rajah, M.L.A. President, All-India Depressed Classes Association and representative of the depressed classes in the Assembly, issued the following considered statement on the 12th November 1935 with reference to the controversy regarding the change of religion raised by Dr. Ambedkar. He said:

I have received letters from all over the country asking me to express my views on the recent controversy as regards the depressed classes renouncing Hinduism.

'First of all I should like to make my position very clear. I have regard and reverence for all religions. I have been educated in Christian institutions—Wesley College and the Christian College, Madras. I served for many years in Christian institutions, namely, Voorhees College and Wesley College. I have never changed my re-

ligion, though I have imbibed many of the Christian ideals. People are at liberty to seek and embrace whatever religion they wish in the interests of their spiritual welfare.

'I have not read the full speech of the president of the Depressed Classes Conference held at Yeola on Oct. 15, for nowhere have I seen it published in full. It is said that a resolution was passed at this conference asking the community to sever itself from Hinduism and embrace any other religion which would guarantee them equal status with other members of that faith. It should be noted that this conference is only a district conference and it is very significant that the president, who made this bold suggestion to his admiring audience, did not recommend any particular religion for them to adopt.

'So far Mr Bahu, the famous cricketer, who is the leader of a large section of the depressed classes of the Bombay Presidency, has clean bowled out the president of this conference with his well weighed and weighty statement. Other leading members of the community all over India, Rao Bahadur R. Srinivasan, M.L.C. Rao Sahib V. L. Munuswami, M.L.C. Rao Sahib L. C. Guruswami ex M.L.C. Dr. Ram Prasad, Dr. Solonki, M.L.C., Messrs. R. B. Biswas, P. K. Rajbhoj, N. S. Kajrolkar and Swami A. S. Sahajamandan, M.L.C., and others have rightly expressed strong disapproval of this resolution.

'While I fully share in the resentment which many of our men feel at the treatment meted out to our people in many parts of the country by the so-called high caste Hindus, I would at the same time request them to compare conditions existing now with what they were, say 15 years ago. Conditions have improved considerably to day. A large section of educated Hindu India has come to condemn the practice of untouchability and has thrown its weight on the side of reform. I venture to say that in view of the awakening of the Hindu conscience that has been noticed in regard to our condition and status, the days of untouchability as practised towards our community are now numbered. It should be remembered that in the course of a decade things have changed considerably in favour of the depressed classes and there is also a very strong awakening among the depressed classes themselves.

'The Congress under the inspiration of Mahatma Gandhi has taken up the question of removal of untouchability and the Hindu Mahasabha has followed suit. It is our duty to help them in their endeavour and not to throw obstacles in their way.

In the last Legislative Assembly two Bills were introduced and discussed—The Temple Entry Bill and the Untouchability Abolition Bill. Both these Bills were intended to give equal status to the depressed classes with the other Hindus and to remove obstacles in the way of such equality. What part did the organizers of this Yeola Conference play then in regard to these measures? Did not some of them help the opponents to these measures to strangle the Bills? Did not the chief opposer to these Bills and the stout champion of Sanatana Dharma, Raja Bahadur G. Krishnamachariar call to his aid the president of this conference and that he did not want temple entry and quote him as saying that the dispute was not between the caste Hindus and the depressed classes but between the caste Hindus and Mr. Gandhi? The depressed classes have every right to ask him when he ever set any value on religion as a means of social uplift? Is it not a fact that he opposed Mahatma Gandhi when he placed the religious reforms before the economic? There is Mr. C. F. Andrews testifying to this fact in an interview granted to the "Manchester Guardian."

The depressed classes have every right to ask him whether he had ever before taken any interest in their religious life and given any hint that Hinduism as a whole was to blame for the social and economic depression of these classes? Did he ever take any part in social and religious reform movements in Hindu society before coming to the conclusion that Hinduism is unreformable, before taking upon himself the responsibility of advising 70 millions of people to change their religion?

'It is to be noted that while he gives the negative counsel that they should renounce Hinduism, as if it could be done in a moment—the moment the word is spoken by a single man—he does not say in what direction they should move and what religion they should embrace in place of the one they are called upon to renounce. What is the use of such destructive advice without a constructive proposal? Whether does he want to lead the people? Does he want to play the Moses in the Bible or of Zebek Dorshu—the less said about him the better. One has only to read De Quincey's classical story to realize the untold miseries resulting in extinction to which he subjected his people and all for giving vent to his spirit or ambition and vengeance.

'Even now it is not too late for the president of the Nasik Conference to say what religion he has in view—Christianity, Zoroastrianism or Islam ?

'The immediate remedy that suggests itself to me is the total withdrawal of the legal and administrative recognition to the superstition of pollution. The laws as they are administered to-day uphold these superstitions under the guise of preserving peace and punish the untouchables who attempt to enforce their civic rights. On September 26 last I introduced in the Legislative Assembly a Bill called the Removal of Social Disabilities among certain classes of Hindus. Bills like this, if passed into Act, will go a long way to remove civic and secular disabilities from which the depressed classes are suffering under the existing laws. This Bill will also remove the obstacles created by the British India courts giving legal recognition to certain social customs and usages which enlightened public opinion regard as unjust, anti social and irreligious.

'If we do not achieve social and religious equality in Hindu society it is not only the fault of the caste Hindus but it is also our fault. Are we united ? It must be acknowledged that the lack of unity among those who speak in the name of the community has had adverse effects on the rise of the community and has seriously jeopardized the work on its behalf, and without unity among ourselves the interests of the people are bound to suffer. I appeal to my people to consolidate the community and stand united and work with patience and determination. If this is done our success is assured.

'I now appeal to my people not to be led away by the speeches of people who do not really understand the inwardness of things.

'I appeal to them not to lend their support to men who for reasons of their own seek to undermine the solidarity of the community and to defeat the endeavours towards uplift by setting up rival organizations and thus becoming rival leaders, whose only business now-a-days seems to be to sow seeds of dissatisfaction, distrust and class hatred in the hearts of our poor and innocent people. I am not at all perturbed by the speeches of such impulsive and vehement politicians.

'Those who are in actual touch with the depressed classes will see that they are now passing through a stage in their history, when they begin to adopt and adapt such Hindu customs, ceremonies and worship as are suited to their social and religious needs and that every Cheri Mohalla and Basti has a temple, where hitherto there have been no temples and all worship was neglected, there is a tendency for religious revival. People bathe, dress cleanly and wear marks of religious devotion and this is due to the influence of a reformed Hinduism.

'Hinduism is our religion and it is sacred to us. It is our duty to preserve it and purify it. We do not want to cut away from the Hindu fold. We want a better recognition—a recognition of the fact that we are men equally with themselves, the caste Hindus. Our goal is the removal of untouchability and our aim is to become an unsegregated and unquarantined part of the Hindu society.'

## THE PUNJAB DEPRESSED CLASSES CONFERENCE

The Punjab Depressed Classes Conference was held at Rohtak on the 15th November 1935, under the presidency Lala Dewan Chand. Ch. Khem Chand welcomed the delegates in a befitting speech. He emphatically declared that the Harijans were not prepared to barter away their ancestral religion for political or social rights. He condemned Dr Ambedkar's hasty and impolitic advice given by him to Harijans at Yola. Principal Dewan Chand in his address quoted chapter and verse to show how vague, ill-defined and capricious were the Government methods of calculating the numerical strength of the so called untouchables. He appealed to orthodox Hindus to remove the stigma of untouchability without even a moment's delay. He exhorted the Harijans not to lose patience at a time when age old barriers were fast breaking down.

The Conference met again on Nov 16 when resolutions concerning the social, political and economic amelioration of the depressed classes were passed. The conference unanimously rejected Dr Ambedkar's unsound and suicidal advice to Harijans and condemned in unqualified terms the action of certain impetuous Harijan youths who burnt certain Hindu Shastras to express their resentment. The Harijan speakers on this resolution emphasised the fact that such rash actions were calculated to strengthen the hands of obscurantists.

## THE ASSAM DEPRESSED CLASSES CONFERENCE

Mr B M Mandal, presiding over the Assam Depressed Classes Conference held at Nowgunj on the 22nd December 1935 said: The new constitution gives us some thing but not all that we desire or all that we deserve. The number of representatives granted in each province in the legislatures is not justified by the strength of the population. The necessity of representation in Government services receives notice but it is not as emphatically and as comprehensively guaranteed as we could desire. The new constitution gives us a representation of some sort. It sets us on the road over which we have to travel. If we have to maintain our political existence, if we have to fight successfully in the inevitable contest to come, we must be on our guard and prepare ourselves by teaching ourselves lessons of unity, co-operation and a healthy sense of dignity and self-respect.

Dealing with attempts at social reforms, Mr Mandal said that if the reformers desired to abolish untouchability they could not only do so by an act of legislation as had been done in Japan. Centuries of pious talk would not achieve what a single act of legislation could do.

He suggested the opening of a common fund exclusively devoted to the propagation of culture among them. Demands should be made on the Government in a constitutional way for earmarking a certain amount of money warranted by the strength of their contribution to the Treasury for educational uplift of the depressed classes. He advised that the masses should get the right type of education, which should be in the direction of practical pursuits of agriculture and allied industries.

Referring to Dr Ambedkar's announcement regarding the contemplated change of religion, Mr Mandal said that it was in a fit of generous self assertion that the declaration had been made and that it should be taken literally as an individual desire to change his creed. Mr Mandal suggested that instead of chalking out an isolated line of their own, they should follow the sense of the whole community.

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## The Democratic Swaraj Party

A meeting of the Democratic Swaraj Party was held at Akola on the 1st August 1935. It was not open to the press, but an authorised statement was issued by Mr N C Kelkar.

About 27 members were present. Dr Moonje and Mr M S Aney were to day enrolled as members of the party and Dr Moonje was elected to the central council in place of the late Mr Karandikar. Mr Kelkar withdrew his resignation from the presidency of the Party till the next annual meeting.

The draft manifesto, which had been prepared after consulting Messrs M S Aney, N C Kelkar, B S Moonje, Jambadas Mehta, L. B. Bhopalkar, G. A. Gals and others, was then read and discussed. With certain changes, the manifesto was finally adopted and it was resolved that Messrs Kelkar and Aney should approach the executive committee of the Nationalist party, with the draft, to see whether the two parties could join together to form an All-India Party. It was also resolved that the final result of negotiations should be put for sanction before the annual meeting which will be held in the first week of October in Khandesh.

The following is the manifesto of the Democratic Swaraj Party —

After urging that "we have felt during recent years that there is a growing tendency in the Congress towards rigidity in the choice of means and methods, as evidenced by the changes introduced and proposed to be introduced in the Congress Constitution at the last session at Bombay," the manifesto concludes that "there is real need and scope for a well defined All-India Party, having the same ideal and objective as the Congress, but which will avoid the rigidity referred to above. Happily, organisations making for such a Party exist in the country to-day in the Congress Nationalist Party, started by Pandit Madan Mohan Malaviya last year, and in the Democratic Swarajya Party, working already in the Provinces of C P,

Nagpur, Berar, Maharashtra and Bombay. And we urge that both these should act as one compact organisation identical in aims and methods, devoted to the Congress ideal, and yet distinct from the Congress when not in agreement with its policy or programme.

The manifesto then goes on to affirm the proposed party's agreement with the aims and ideals of the Congress with regard to which however, "the party feels that it must take a line different from that of the Congress" in the following matters. It will —

1. Oppose Communalism in any form in public affairs.
2. Endeavour to get repealed the so called Communal Award.
3. Deal with the problem of Indian States, "more particularly with the representation of the States' subjects in the coming Federal Legislature" and grant to them fundamental rights.
4. Oppose formation of separate provinces on communal considerations or of provinces receiving subsidies from the Central Government and support the formation of separate provinces on cultural and linguistic basis if self supporting and support demand made for separation of Karnataka, Berar and Andhra as separate provinces.
5. Refuse to recognise religion, sect, race or caste as a basis for preferential treatment in the matter of franchise, representation or employment.
6. Advocate a policy of non-interference by legislature in religious matters, reserving to itself the right of deciding whether a particular question is a religious one or not.
7. Where differences of opinion exist between the Party and the Congress, to come, if possible, to an understanding.
8. The party stands for acceptance of offices, under favourable circumstances in order that reactionary elements may not secure the control of the machinery of the State and use that machinery to the prejudice of National interest. But it will support non-acceptance if the country's interests require the adoption of such a policy.

The party pledges itself to the uplift of working classes both agricultural and industrial.

The party should organise foreign propaganda in order to expose the true character of British Imperialism in India and will enlist the sympathies of International organisations in the National struggle for freedom.

The party will encourage Military and semi-Military training through educational institutions and volunteer organisations.

With a view to carrying out the above objects on a Nation wide scale, it is suggested that the existing Congress Nationalist Party should be regarded as a nucleus. The Democratic Swarajya Party should be one provincial branch to carry on the party work in the four Marathi-speaking tracts Nagpur, Berar, Maharashtra, Bombay island. The Democratic Swarajya Party should have autonomy to frame its rules and regulations for the sake of carrying on the common policy as well as any additional programme of its own in these provinces.

We further suggest that the Executives of both parties should meet early to draft a general constitution.

In conclusion, the manifesto stated that "the policy embodied in this manifesto is as advanced and radical as the most progressive nationalist could desire" and urges in its justification, the rigidity of the Congress, saying that "the Congress banner is becoming too narrow to cover honest dissentients and prevents them from offering their services at the feet of the nation within its fold."

## CONGRESS DEMOCRATIC SWARAJ PARTY CONFERENCE

The second Session of the Congress Democratic Swaraj Party Conference commenced at Chabagon (U P) on the 10th November 1935, under the presidency of Mr M. S. Azad, who in the course of his address said —

"The Congress has recently given up its 50-year-old policy of fostering a spirit of Nationalism, and their acquiescence in the constitution based on anti national and unjust lines would bury Nationalism alive. The Democratic Party would, therefore, continue the agitation and try to remove the defects in the Congress which was fast becoming a sectarian institution since too much stress was being laid on the means rather than the objective."

Proceeding, Mr Aney urged the immediate removal of the defects in the new constitution of the Congress and the banishment of the fatalist mentality that was the feature of the politics of the day. He also advocated that Democrats should take up the cause of the States' subjects and by agitation convince the Congress of the justness of their cause. In conclusion, Mr Aney appealed to the Congress to take a united front to fight the elections.

The Conference adopted resolutions mourning the deaths of Mr Karandikar (of Satara), Mr Abhyankar (Nagpur), and Dr Mhasalkar (Amraoti).

A resolution urging that the party members should participate in the Congress Jubilee celebrations, was passed.

Another resolution characterising the New Reforms as being calculated to tighten the grip of imperialist domination in India, and trusting that the next session of the Congress would approve of Office Acceptances under favourable circumstances, was also adopted.

By another resolution, the Conference condemned the repressive laws and urged the immediate release of all political prisoners.

The Conference supported Dr Moonje's scheme for a military school.

Mr M S Aney was elected as President and Mr Jammadas M Mehta as General Secretary of the Party.

#### Welcome Address

Mr H V Pataskar, Chairman of the Reception Committee, welcoming the delegates, referred to the political situation in the country and said —

There are so called political parties in the country whose very nomenclature shows that they are communal. It is no good and will serve no useful purpose to vilify such parties or to condemn them in and out of season. By gentle persuasion and pressure even they are sure to lose their communal character. As an instance in point I might refer to the non-Brahmin party of our Presidency. Whatever may have been the justification for the existence of such party in the past, I am sure its members are even now beginning to realise the gravity of their mistaken ways and even if they retain that name out of sheer tradition, I am sure, they will have soon to fall in with the ways of the other political groups from whom they claimed to differ and still claim to do so. It is equally necessary that there should be a common understanding regarding common questions of national interest between such a party and other parties. We cannot afford to ignore the sentiment behind such a party and it would be highly prejudicial to national interest not to have regard for the sentiments and traditions of all the different groups in the country. Every party must remember that abuse means a return of the same and that by such means we only prolong the day of our independence.

One of the main conditions of the membership of our party is that every member must be a member of the Indian National Congress, admittedly the premier political association of our country. It owes its present position of prestige as much if not more to those who have been responsible for the last two generations in rearing and conducting it as to those who are its present office bearers. Our goal is the same as that of Indian National Congress. We only differ in some of the programmes now proposed for reaching that goal. Our differences have now been practically so narrowed down that it should not be difficult to reach an understanding with regard to them.

The new neutral attitude of the Congress with respect to the question of the so-called Communal Award is one of the outstanding points of difference between us. Communal Award is admittedly antinational and is designed by persons who do not want us to develop into a united nation. The Award has now come to stay at least for a considerable time, whether we like it or not, and the question of its rejection is now past. The only alternative before us now, I see no reason why we should not all unite in finding out a suitable common formula for its substitution, and in trying to reach and work for the same.

The Indian National Congress having now realised the utility and the desirability of sending representatives to the legislatures and having given up the attitude of leaving them in the hands of the reactionary elements, I might say that it is a triumph of our principles which we held and adhered to, in times when this programme was condemned as anti-national. On this point again the Congress is now at any rate with us in principle. The further questions that are now being agitated are the questions of the purpose for which representatives are to be sent to the legislatures, and the question of the acceptance of office.

My experience in the Bombay Legislative Council for four years indicates that all political parties based on a nationalist basis as distinct and opposed to communal basis, have to come together for effective work.

The question of acceptance of office is not so simple of solution as it looks. If as is now stated and admitted parliamentary mentality has come to stay even in quarters where it did not exist formerly theoretically acceptance of office must follow as a matter of course and signs are not wanting to show that the greatest mind in India might suggest and bring about a change in favour of this inevitable result. The only question is the question of time. Under the circumstances the question of acceptance must differ according to the circumstances in each province. There cannot be the same decision for all provinces in India. There is enough time during which this matter can be decided in each province according to circumstances which prevail there.

Concluding Mr Pataskar referred to the ideal of the Party. He said, "Our party as I have already said is a party of Congressmen, and though we differ in certain details from the programme of the present Congress Official block, we have never been hostile and never mean to be hostile to the ideal and goal of the Congress."

## The Andhra Swarajist Conference

A powerful plea for all parties standing for self-determination rallying under the banner of the Indian National Congress was made by Mr G. Hanumanthama Rao, in his address to the First Andhra Swarajist Conference which began its session at Bezwada on the 24th August 1935. He pointed out that recent events had helped to divest the Congress of all those features which were formerly responsible for certain Nationalist parties desiring to keep out of it. Now that all those objections had been eliminated, he urged "no shibboleths, no sense of prestige should stand in the way of rallying all opposition to Government into a single solid mass in the Congress."

The conference commenced its session in the afternoon in Sri Durga Kala Mandir, Bezwada, under the presidentship of Dr B. S. Moonsy.

In the course of his address, Mr Hanumanthama Rao stated that the Indian National Congress must always be, till the country achieved freedom, the common platform on which all Nationalist parties should endeavour to stand. "The Congress is the one political institution of fifty years growth and the reputation that India has achieved under its banner as a fighter for freedom, must be a pride to any Indian however much he may differ in the opinions on matters of moment. The Congress has for fifty years been the Opposition in India of His Majesty's British Government making very terrible sacrifices and it is the duty of its leaders and leaders outside who sympathise with its outlook to make it available and to use it as the nation's voice in its progress from point to point. No shibboleths, no sense of prestige should stand in the way of rallying all opposition to Government into a single solid mass in the Congress."

Mr Hanumanthama Rao, proceeding, referred to the attempts being made to form into one single whole the Nationalists, the Responsivists and the Democratic Swaraj Parties and said that there was not much that should divide these groups from the Congress especially after it had decided to enter the legislatures. Referring to the communal problem, he said he would give perfect freedom to either side to press their views in the same manner as a boundary dispute would be discussed in the usual course of business. After all, he said, grievous wrongs might be righted when all agreed to sit together and thought of them as independent evolution.

Mahatma, as he left the Congress, set a brilliant example of political action. He had tried an experiment for which he would lay down his life. He had found that except himself, none other had the competence to continue his experiment. So, he left the Congress free to the men of another political inclination to try their own ways of action through legislatures and a possible Constituent Assembly. But, his example, had had no effect on his immediate followers, who swore by him earlier. The Congress executive now continued to be manned by people who had no faith in the changed programme of the Congress. Persons who believed in the old programme, with Gandhi, should have left the Congress along with him. When the programme changed, they should have transferred all the power of the Congress to other hands.

and installed the Swarajya Party and the Parliamentary Board as the executive of the Congress. He alluded to the resolutions of the Congress in respect of military training, the States' Peoples question the Socialist programme and others and asked how many of the present Working Committee would go forward enthusiastically to carry out those resolutions.

Discussing the need for a functioning Swaraj Party at present, what it aims should be, Mr Harisarvottama Rao observed "The Swaraj Party lives and has its share of work to do. While not opposing the Congress, at the polls, as long as it carries on work in the legislatures, this party must always be ready to take up that work when thrown up by the Congress once again. This party must be there to give its fullest support to all such changes in the Congress constitution as would keep it predominantly political in its activities. The Congress executive instead of thinking of the chances of its own nominees in the coming elections, may call a conference of all parties who stand by the principle of self determination and Constituent Assembly, to be passed through legislatures of the country and accept such changes in the constitution that such a conference may suggest and leave the Congress in the hands of the executive that such a conference may appoint."

He appealed to all other parties, who felt with his Party to join the Congress forthwith as members and take it to the goal of self determination by joint action. There could possibly be no objection which a self determinist could now have to join the Congress.

Regarding the demand for an Andhra Province, Mr Rao said if our ideal was our own rule in this country, the language of the land must be the language of administration. The Congress had long accepted this dictum and acted upon it. It was through a Constituent Assembly that this would be possible of achievement. If, in the meanwhile, we were able to get through the grace of a Secretary of State a technical Andhra Province, we should yet be far from our ideal of a linguistic province in the senses of carrying on the administration through the vernaculars. Even a technical province might be of some use as leading the way to a higher ideal. The speaker referred to the artificial differences between the Gouars and Rayalaseema and thought that they could be easily squared up by comradeship in work for the masses as in the present famine conditions in Rayalaseema.

He then requested Dr B S Moonje to take the chair and conduct the deliberations.

Dr Moonje then took the chair and delivered his presidential address

#### Presidential Address

Dr Moonje, at the outset, thanked the organisers of the Conference for requesting him to preside over the Conference.

He traced the rise of Gandhiji's influence in the Congress and outlined the circumstances which led to the Swarajist split headed by the late Mr C R. Das.

Continuing, Dr Moonje said "We, the followers of Mr Das, have survived to witness the full justification of his revolt and its ultimate fructification to day in the Congress being ultimately obliged to revise its policy and to go back to the eminently practical programme of actually capturing the Legislatures and considering the advisability or otherwise of accepting the offices with an overwhelming bias in its favour. Taking a bird's-eye view, one feels that capture of Legislatures and acceptance of offices, should have been such a simple matter as to form the very elements of the practical politics of the Congress."

He congratulated the Andhra Swarajists on having revived the Swarajist Party. Time had now arrived for all political parties in India, including even the Congress, to put their heads together and evolve ways and means for combination and for presenting a united front in respect of the new constitution, which would soon be imposed on India. But if the Congress would not democratise its constitution and change its mentality in respect of Muslim Communalism, the other Nationalist Parties such as the Swarajist Party, the Responsive Co operation Party, the Congress Democratic Swaraj Party and the Nationalist Party should combine together and function separately from the Congress, preferably under one general denomination for the achievement of Swaraj.

Proceeding, he said. Now the question is "What should be the nature of this Swaraj?" Complete Independence, that is breaking away from the Empire or ownership and partnership in the Empire on a completely equal status with the other component partners of the latter; that is, complete equal ownership and partnership? Personally, I am in favour of equal ownership and partnership, because, having invested crores and crores of rupees from the revenues of India and having sacrificed



thousands and thousands of our men in fighting the battles of the Empire for its progress and prosperity during the last 120 years of British Rule in India, it is not wisdom to give up our claim to ownership and partnership in the Empire and forego our right to rule and administer the affairs of the Empire through a representative Imperial Assembly with membership reserved to each constituent partner, including India, on the basis of their respective populations. Ownership and partnership thus offers greatest advantage to us than even complete Independence. Thus, I would insist on ownership and partnership in the Empire and if the other partners were then to demand dissolution, I would oppose it to the last drop of my blood. Anyway, I would throw the responsibility for demanding dissolution on England with its implication of admitting our rights to demand the return of the capital invested from the revenues of India plus compensation for the Indian blood spilt in building up the Empire, I have therefore no doubt in my mind about my choice in the matter.

He then referred to the attitude of Muslims towards the nationalist struggle and stated that all along the Congress and Mahatma Gandhi had placed an entirely artificial value on Hindu-Muslim Unity. Prominent Muslim leaders were openly declaring that they had no belief in patriotism and were interested only in getting a dominant position for Islam. In all free countries, he said, the problem of minorities existed but in the affairs of the country the majority community had the determining voice. The only special provision that was made in the constitution of these countries in the interests of the minorities—mainly in European countries—was that safeguards were provided for the protection of the religion, language and personal laws of the different minorities. Nationalism had been interpreted in these countries not to mean a unity of all the different communities. Why should nationalism, he asked, be interpreted differently in India? The reason was to be sought nowhere else than in the mentality of defeatism induced in the Hindus by the political philosophy and teachings of Mahatma Gandhi. To achieve true Hindu-Muslim Unity, we needed to develop a bold and manly mentality of self-confidence. It was here and for this special purpose that the Swarajists and the Nationalists had to step in. It was reserved for them, if they would foresee their destiny, to give a bold lead to the country in true and manly Nationalism. They must keep up the struggle for Swaraj by all legitimate and peaceful means. While making up their mind to stand upon their own legs and disdaining to depend helplessly on others, they should respectfully invite and welcome the co-operation of all irrespective of their caste, creed or colour. They should combine and invade the Legislatures and capturing the Government, carry on the administration on these principles in such a way with a firm hand as to lead the minorities feel and appreciate that their true interests lie not in separation from Nationalism and the majority community but in honest and loyal co-operation with them on perfectly equal terms. "I feel sure," he said, "that if we demonstrate our determination to carry on the administration on these lines, the Britishers are shrewd enough to amend the constitution of their own accord, at the earliest opportunity thinking that discretion is always the better part of valour and will leave us free to manage the affairs of our own country as we like."

"Now I should like to say a few words about a point, which, I know, is nearest to your heart and which you would want me to look at from your point of view. You want to have a separate Andhra Province of your own. If Sindh is to be separated to provide a permanent basis for communalism in the general administration of the country, and also if a scheme of a federation separate from the Indian Federation called the Pakisthan, including Punjab, Afghanistan, Kashmir, Sind and N.W. Frontier Provinces is being openly canvassed for dividing India into Moslem India and Hindu India, you have every justification to claim a separate organisation of your Andhra Province. Orissa has been constituted into a separate province as a set-off to the separation of Sind, to keep-up a show of even handed justice. For you, now, it is an uphill task because the new India Bill has now been passed into an Act. But there is nothing more consoling than trying for a good cause."

Adverting to the question whether we should help Britain when engaged in a war, Dr. Moonje said: A cry is being raised, now-a-days, that if England is ever involved in war, India should not help England and should refuse to supply men, money and material. Now let us analyse the situation and see how we Hindus stand in this respect. Broadly speaking, there are twenty-six crores of Hindus in India and 7 crores of Muslims. Muslims have no caste system and are not vegetarians while Hindus have caste system and are mostly vegetarians. Muslims, therefore, can supply proportionately more men for the British Army than the Hindus. Therefore, speaking comparatively, the Hindu voice in raising up the slogan "Don't help England"

will not have the same value and force as the Muslim voice. But the Moslems have made an alliance with the Britishers who have already purchased their friendship by giving them the Communal Award.

In short, the point is—Do the Hindus possess the worth which the Britishers value and want most in times of war but cannot command without placating and bargaining, as the Moslems possess? We must train our people, irrespective of whatever caste they may belong to, in militarism so that the Britishers may not be able to commandeer without our willing consent and co-operation, neither our millions, that is the Banias, nor our intellect, that is the Brahmins, nor our labour that is our Sudras, nor our fighting men, that is our Kshatriyas."

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## The Bengal Provincial Socialist Conference

The first session of the Bengal Provincial Congress Socialist Conference was held at the Albert Hall, Calcutta on the 21st September 1935, under the presidency of Mr Jayaprakash Narain, and continued deliberations till the next two days. Mr Gunada Moqander, Chairman of the Reception Committee, in the course of his speech said—

Here in Bengal we have one particular problem which greatly exercises our minds. It is about the 2,000 young men who are being kept indefinitely confined in jails without the semblance of a trial and the extraordinary powers with which the Government has armed itself to curb the freedom of associations or liberty of speech in the press and on the platform.

Bengal to-day is virtually an armed camp and many of the districts are to all intents and purposes under martial law. The extraordinary powers have been used to suppress working class and students and youth organisations as well. In the district of Midnapore, even Congress organisation is banned.

These youngmen are being deprived of all opportunities of a creative social or political life. Many of them are now in jail for more than five years and when recently a movement for their release or open trial had been rapidly growing, the head of the Government came out with the suggestion that most of them who are agitating for elementary human justice, are themselves in the inner councils of terrorism. That is an extraordinary defence to fall back upon where no defence at all is possible. Many of these detainees, we know, however, have been active members of Congress and Youth organisations. I know personally terrorism to them was as much abhorrent as to me.

The terrorist method is completely alien to a socialist. But the present policy of the Government in suppressing all movements for a better and creative life cannot be accounted for even by its most ardent supporters except for the fact that the desire for freedom cannot be tolerated. But no Government on earth has ever been able to suppress this unquenchable thirst for freedom for any length of time.

The Congress Socialist Party has therefore given a lead to achieve this desired end and has accepted a programme of action for the realisation of its ideals of a new State where interest of one class are not meant to be protected at the cost of others. Congress Socialism to many minds may appear to be a new form of Socialism. But to those who have cared to know its ideals it will not appear so. Congress Socialists are not blind to the realities of the situation and do not therefore waste their energies in fighting over mere words.

The Congress as it is now constituted may not of course be able to overthrow Imperialism. But it remains to us to mobilise the really militant forces within the Congress and bring them in a line with workers and peasants to whom Independence does not mean a mere change of power.

I do not think it necessary to comment on the evils of the coming Reforms with Communal Award on one hand and Federal Legislature of Princes, mill-owners and landlords on the other. They are the ingenuities of Imperialism meant to divert our attention from the real issues.

Here in Bengal a particularly pernicious system has been evolved giving the balance of power to the handful of European merchants which may be used to aggravate Communal bitterness.

Our task with regard to the new constitution will be to wreck it not by accepting ministry and falling into the trap of political stagnancy but by our continuous struggle and devoted attachment to our ideals. We have no time to waste as the contradictions of capitalism are manifestly appearing in all the imperialist States that are attempting to suppress the movement which is going to establish a new State for the exploited masses.

#### Presidential Address

In course of his presidential address Mr *Jayaprakash Narayan* said —

Bengal, of all the provinces in India, has occupied a premier political position. It has been in the vanguard of the country's freedom movement since the beginning. In suffering and sacrifice it is easily the first province in the country. Even at the present moment, whole districts of the province are subject to virtual martial law. Thousands of Bengal's youngmen—some of them with the promise of the most brilliant careers—he wasting in jails, without as much as a charge having been framed against them in a court of law.

The country has only recently begun to realise the gravity of the detenus question.

But there remains a great deal to be done yet. The demand for the release of the detenus is still very feeble. Much more publicity is required to be given to this question than it has received so far. And the publicity should be extended to foreign countries also, particularly to England. Mr C. F. Andrews has already led the way in this direction. He must be followed up by others.

On behalf of my Party, I assure the people of Bengal, and the detenus particularly, that we shall always stand by them and do all we can to help them.

The question of the detenus is not the only outstanding problem in Bengal. Under the pretext of putting down terrorism, the Bengal Government has made all national and mass activities impossible. Many Congress bodies, Khadi organisations, trade unions, peasant organisations, student associations, presses and publications have been placed under a ban. Those which are not actually banned have to live under the perpetual surveillance of the Secret Service.

A non-political association should be formed the business of which should be to defend the ordinary right of citizenship,—rights that are enjoyed by every member of any civilized society. You have heard of the Civil Liberties Union of the U. S. A. which under the able leadership of Mr Roger Baldwin has done extremely valuable work. There are also many international organizations for the protection of the working man's rights and interests.

This association which is suggested here should also be on similar lines. It should be formed not of political workers but of leading jurists of the country, eminent publicists and journalists, women workers (for women are the worst sufferers), social workers, like some of those of the Servants of India Society, and so on. It should be an All India body and should have intimate contacts with kindred foreign organisations.

I shall take up next certain other issues which loom large in the political horizon of Bengal.

The communal question, as it exists to day, affects only a small class, the class which is directly interested, purely for the gratification of personal ambitions and desires, in legislative elections and jobs and employments in the departments of the Government. This class, taking advantage of broader causes of communal conflict such as exist in Bengal due to the economic circumstances I have already mentioned, seek, and unfortunately succeed, to give to their claims and wranglings a much wider sanction than they would have otherwise possessed.

What is the duty of the "nationalist" in these circumstances?

The courses that suggests themselves to me are firstly, a total withdrawal from the wrangling for legislative seats, secondly, the linking up of the freedom movement with the economic struggle of the masses.

Now I shall touch a little upon the subject of unemployment in Bengal. Unemployment is perhaps the most acute in Bengal.

It is strange that in such an intellectually progressive province as Bengal, provincialism should be considered in certain sections, as a solution of the problem, the roots of which are very much deeper. Unemployment results from the mal-adjustment between production and consumption which is an irremovable feature of capitalist

society. It can be cured only when this maladjustment is cured, i. e., when society is recognized on a socialist basis.

Now I wish to consider with you the attitude that we should adopt towards the New Constitution that has been forged for us by the imperial power.

The Congress long ago gave up its belief in constitutionalism and embraced direct action as its basic policy. The respective strength of the Liberal and Congress parties shows which has been the more fruitful and correct of the two.

Direct action and constitutionalism are incompatible. The Congress cannot truthfully profess its faith in the former, if it agree to work the constitution.

We believe that legislatures have to be used only in order to strengthen and support that revolutionary work outside. For us there is no parliamentary work, as such. What Mr. Rajagopalachari meant to say was that we must work there on approved constitutional lines. According to him our insistence, for example, on the slogan of the Constituent Assembly having been raised in the Assembly chamber, was misplaced tactics. That was a slogan which had to be raised outside at the proper time.

Our whole conception of legislative activity is opposed to this. We hold that when we go to the legislatures our purpose should be not only to inflict constitutional defeats on the Government, but also to raise fundamental slogans for the purpose of propaganda, to relate the work within, to the day to day struggles of the masses outside, to expose Imperialism, to obstruct its working.

Our work within the Congress is governed by the policy of developing it into true anti-imperialist body. It is not our purpose, as sometimes it has been misunderstood to be, to convert the whole Congress into a full fledged socialist party. All we seek to do is so to change the content and policy of that organization that it comes truly to represent the masses, having the object of emancipating them both from the foreign power and the native system of exploitation.

#### Resolutions

The following amongst other resolutions were passed by the Conference —

The Conference records its emphatic condemnation of the Bengal Government's policy of detaining more than 2000 young men, detaining labour workers under special powers of its action of the March last in declaring 13 working class political and youth organisations illegal, of the continued ban on students' organisations since 1931, of the majestic action in several districts in prohibiting the use of public parks to young men and compelling them not to stir out of their houses between sunset and sunrise, of the action of Police Commissioner of Calcutta prohibiting all open air labour meetings and of the hundreds of daily arrests and questionings of person in the entire discretion of subordinate police officials.

The Conference recommends to the provincial executive of the party to explore avenues of a systematic, determined, and united agitation against this.

The Conference notes that certain prominent Congressmen are advocating acceptance of ministerial offices under the new constitution. In the opinion of this Conference such a policy would have disastrous consequences for the freedom movement as it would mean a compromise with Imperialism and working of the reforms and result in the demoralization and disruption of the Congress ranks and weakening of the basis of direct action by strengthening constitutionalism and vested interests.

This Conference therefore exhorts all Congressmen to actively disapprove this move and pledges its fullest support to all attempts made to defeat this policy at the Lucknow session of the Congress.

This Conference notes with appreciation the recent agitation of the Indian public over the Italo-Abyssinian conflict and wishes to place on record the estimation of the Abyssinian question and its bearing on India.

The fight of Abyssinia to retain her freedom is the fight of all the colonial peoples against Imperialism. This Conference, therefore, sends its fraternal greetings to the Abyssinian people in their heroic fight.

The uncompromising offensive of Mussolini against Abyssinia further exposes the necessity of Fascism, for its existence to embark upon mad imperialist adventures. It shows that Fascism as an attempt to re-establish capitalism is fraught with tremendous dangers to the peace of the world.

This Conference also notes with alarm the imminent danger of a peaceful penetration of Abyssinia by an imperialist State like France.

This Conference urges upon the League of Nations to apply the sanctions against Italy laid down under its Covenants against an aggressor State.

Whereas the peasantry is the last stronghold of the bourgeoisie and whereas the shrewd political spokesmen of the bourgeoisie in the colonial country, dominated by the peasant population and feudal elements, mainly look upon the disorganised and not fully-class-conscious peasantry as their principal support and as the working-class struggle intensifies and the class contradictions sharpen and more and more manifest in the political arena, they more and more cling to the latter class for their support, this Conference resolves that the organisation of Peasant Unions all over the country on the basis of class struggle in alliance with and under the ideological leadership of the class-conscious proletariat is a main task of the Congress Socialist Party, as by that organisation class and solid united front of the worker and peasants, it is possible to overthrow the present reactionary leadership of the Congress and attain the emancipation of the falling masses from Imperialism and indigenous economic exploitation.

This Conference further resolves that the said peasant unions be organised on the basis of the following programme —

- (1) Cancellation of the debts of peasants with uneconomic holdings and a moratorium for five years for the rest.
- (2) The arrears of rents to be entirely scrapped
- (3) That no rents should be payable for holdings below the minimum subsistence of 10 bighas.
- (4) Minimum living wages for agricultural labourers
- (5) Non-alteration of land to non-cultivating classes
- (6) State Expenditure on Irrigation on a comprehensive plan to be settled by experts and the restoration of natural drainage and water channels
- (7) Compulsory free primary education and provision for liquidation of adult illiteracy
- (8) Abolition of landlordism in all its forms and the tillers of the soil to be the owner of the land.
- (9) Abolition of feudal and semi-feudal levies.
- (10) Freedom from attachment in execution of rent or money decrees of homestead, agricultural resources and that portion of a peasant's holding which is just sufficient to maintain an average peasant family

## The Nagpur Political Conference

Acute difference of opinion between the Congress and Labour groups over the question whether the Congress Labour Sub-Committee should collaborate with all recognised Labour organisations or only with institutions connected with the All-India Trade Union Congress, led to rowdiness at the sitting of the Nagpur Division Political Conference held at Chitravis Park, Nagpur on the 4th November 1935.

It was understood that in the Subjects Committee meeting, an undertaking was given that a resolution would demand that in settling Labour disputes, the Congress Labour Sub-Committee should only collaborate with the Trade Union Congress. But when in open session, the mover of the resolution included in it all recognised Labour Unions, Labour leaders headed by Mr. R. S. Ruikar, President of the Trade Union Congress, followed by Labour delegates staged a walkout.

For a time, uproar and disorder marred the proceedings. An eleventh hour compromise was, however, reached and on assurance from Congressmen that the resolution would be amended to suit their purpose, the Labour group returned to the pandal.

The original resolution was amended and passed.

**Beth Poonamchand Ranka**, Chairman of the Reception Committee, welcoming the delegates, said that the Conference had been convened to enable the workers to outline the future programme which was essential owing to the prevailing political uncertainty in the country. Expressing the view that acceptance of offices by Congressmen was detrimental to the country's interests, Beth Poonamchand Ranka exhorted the Conference to chalk out such a programme as would enhance the prestige of the Congress and enable them to achieve the objective of complete independence.

In the course of his presidential address, Mr. Sampurnanand said that the Government had conjured up two bogeys under whose cover it was arming itself with re-

pressive laws, namely, terrorism and communism. As a Congressman and Socialist, he believed that terrorism would not secure India's emancipation from foreign rule. The terrorists' psychology was entirely different from the ordinary offender and called for different treatment. Like Gandhism, terrorism was a phase in their political life, that was now passing away, not because of the repressive measures of the Government, but because those who professed it were outgrowing it. Both were tactical experiments and the country, through experience, had now gone on to higher strategy.

Referring to Communism, the President remarked that he saw no reason why a Communist should not be permitted to propagate his views. If Communism was unsound, there was no better way of combating it than to let it come into the open field and fight for its existence with the other creeds. It was sure to meet a speedy end there.

As regards acceptance of office, Mr Sampurnanand was of the opinion that it was unnecessary where Congressmen were in a majority, because they could wreck the constitution even without it and no legislative work was possible without the co-operation of the majority. Concluding, he pointed out certain serious defects in the new constitution of the Congress and suggested that the whole basis of Congress membership should be changed instead of individuals.

Finally, the President appealed for united action of all classes of people. He said that our one goal was liberation of the country from the imperialist yoke and "regeneration of India, in which criterion of human values will not be what it is to-day, in which a mad scramble for means of subsistence shall yield place to willing service of all by all."

Mr M. S. Aney wishing the Conference success, said that he was glad that the Conference gave an opportunity to the people of the Province to express themselves on the current political issues. He deplored the absence of the official Congress from the Conference and hoped that under the guidance of Mr Sampurnanand, whom the speaker knew as a fearless exponent of his views, the Conference would reach sound conclusions. Whatever their decisions, they should be productive of a spirit of friendly co-operation among the workers, despite differences of opinions.

Concluding, Mr Aney advised the gathering to conduct the deliberations in a manner likely to ensure closer co-operation and unity between the various groups and not to broaden the cleavage now existing.

Another resolution which invited much excitement dealt with the non-acceptance of offices under the new constitution. Two amendments were placed, one advocating complete boycott of the Legislatures and the other favouring acceptance of offices. The former was withdrawn, while the latter was defeated.

The original motion favouring council entry, but opposing acceptance of offices was approved.

Resolutions urging the immediate release of all political prisoners, Bengal detainees and Bombay Socialists, advocating the use of Swadeshi goods and condemning the Communal Award were passed by the Conference.

## All India Journalist's Conference

Third Session—Calcutta—17th & 18th August 1935

The Third All-India Journalists' Conference met in session at the Town Hall, Calcutta on the 17th August 1935, under the presidency of Mr C. F. Chatterjee, the chief editor of the 'Leader', Allahabad. The proceedings were opened by Babu Ramananda Chattarji, editor, Modern Review. The delegates were welcomed by Mr Miral Kanti Bose, Chairman, Reception Committee.

Earlier Mr Saras Chandra Bose opened the Press exhibition in connection with the conference at which about 700 papers from all over India published in different languages including the copy of *Samachar Darpan* claimed to be the oldest but which since ceased publication were on view.

Declaring the Conference open Mr *Ramananda Chatterjee* said

"Though capital punishment has either been removed from the Statute Book or fallen into abeyance in very many civilised countries, it not only exists in India but may be and has been inflicted on newspapers without any trial even by court martial. Securities are demanded again and again and finally there may come an extinction of the paper concerned and even confiscation of its press. It is often a long drawn affair which the ordinary executions are not.

"I have no doubt that this subject of capital punishment by instalments inflicted on newspapers will receive your attention

#### Welcomes Address

Mr *Mrsal Kanti Bose*, Chairman of the Reception Committee, in the course of his Welcomes Address, said —

The laws affecting the press are so many and are of such complicated character that it is difficult even for a lawyer to find light and way through them. As a journalist has to be a lawyer and everything else I shall try my best to state the laws as they are at present moment as briefly as I can. I shall not dive into past history but shall content myself by observing that besides the ordinary laws, such as those of sedition, libel, contempt of court etc., which affect the press, the following special laws are in operation at the present moment with the scope and purport of which every journalist has to be familiar. They are

(1) The Indian Press (Emergency Powers) Act 1931, as amended by the Criminal Law (Amendment) Act, 1932 and the Bengal Criminal Law (Amendment) Act, 1932 and the Bengal Criminal Law (Amendment) Act, 1934, (2) States Protection Act, 1934, (3) Princes Protection Act, 1922, (4) Foreign Relations Act, 1932

The Indian Press (Emergency Powers) Act, 1931, was an Act to provide against the publication of matters inciting to or encouraging murder or violence. The scope of the Act was, however, changed next year by the Criminal Law (Amendment) Act, 1932, to one for the 'better control of the press'. The significance of this change is apparent on the face of it. The change contemplated that the executive should have control of the press not only in regard to matters that could conceivably be construed as encouraging murder or violence but in all matters the publication of which may not be to the liking of the powers that be. The Press Act was to be in force for one year only, but the Criminal Law (Amendment) Act, 1932, extended the duration to the period of three years from 1932. The Criminal Law (Amendment) Act effected also other drastic changes in the Act of 1931. The most important of these changes are in respect of section (4) of the Press Act. That section has made it penal the incitement to or encouragement of the commission of any offence of murder or any cognisable offence involving violence or the direct or indirect expression of approval or admiration of any such offence or of any person real or fictitious, who has committed or is alleged or represented to have committed such offence. As was pointed out by several non-official members of the Legislative Assembly, the expression 'offence involving violence' was itself too wide, but little did the members imagine then that while they were straining at a gnat they would soon be invited to swallow a camel. For in the very next year they were asked to pass what is known as the Criminal Law (Amendment) Act which added to the list of offences mentioned in the Press Act very considerably. A whole series of offences were made punishable under Press Act, such as, the seducing of any officer, soldier sailor or airman in the military naval or air forces of His Majesty or any police officer from his allegiance to duty, the bringing into hatred or contempt His Majesty or the Government established by law in British India or the administration of justice in British India, or the excitement of disaffection towards His Majesty or the said Government, the putting of any person in fear or causing him annoyance and thereby inducing him to deliver to any person any property or valuable security or the doing of any act which he is not legally entitled to do, the encouragement or incitement of any person to interfere with the administration of the law or the maintenance of law and order or the commission of any offence or the refusal or delay in the payment of land revenue, tax etc., the inducing of a public servant or a local authority to do any act or the forbearance or delay in the doing of any act connected with the exercise of his public functions or the inducing of him to resign his office, the promotion of feelings of enmity or hatred between different classes of His Majesty's subjects, the prejudicing of recruiting of persons to serve in any of His Majesty's forces or in the police force or the prejudicing of the training, discipline or administration of any such force. These, as you will see, are almost bodily lifted from the Press Ordinance of 1930.

Most of these offences, you are aware, come under the ordinary law of the land. The law courts are always open to try such offences committed by any body and a newspaper or a journalist has no more rights than those enjoyed by an ordinary citizen. But apparently it did not suit the purpose of the powers that be that such offences should be tried in the regular way in ordinary course under the ordinary legal procedure. They intended that judicial decision and judicial procedure should be substituted by executive action.

#### STATES' PROTECTION ACT

The States' Protection Act (1934) has also amended the Indian Press (Emergency Powers) Act, 1931 by creating new offences. It has made punishable the bringing into hatred or contempt or exciting disaffection towards the administration established in any State in India. The procedure for bringing it home to the offending paper that it had transgressed the limits is the same as in the Act of 1931. The provisions relating to the press in this Act were to be in force only till the Press Act of 1931 lasted, that is, till 1935. The Princes' Protection Act, 1922, has practically been a dead letter, but it has not been repealed.

Finally, the Bengal Criminal Law (Amendment) Act, which has application in the province of Bengal only, by its press clauses has still further extended the list of offences mentioned in the Press Act as modified by the Criminal Law (Amendment) Act of 1932. This Act, unlike the Press (Emergency Powers) Act, 1931, and the Criminal Law (Amendment) Act, 1932 is a permanent Act and is not due to expire this year though I believe that with the expiry of the Indian Press (Emergency Powers) Act, 1931, this Bengal Act will practically be inoperative so far as the press clauses are concerned. The Bengal Act creates certain new offences which are not to be found in the other two Acts. It prohibits the publication of certain information which is an euphemistic word for news. Let me quote from Section (8) of the Act — "The local Government may, by notification in the local official Gazettee prohibit either absolutely or subject to such conditions and restrictions as may be specified in the notification the publication in any newspaper, news sheet, pamphlet, leaflet or other documents of any class of information which, in the opinion of the local Government, tends to excite sympathy with, or secure adherents to, the terrorist movement."

It has also been made punishable for any newspaper to give any information, that is to say, news, in contravention of a notification published under the section quoted above. I need not enter into other changes, they are of less importance.

The Foreign Relations Act (1933) makes it punishable the publication of any matter defamatory of a Ruler of a State outside but adjoining India or of the consort or son or principal Minister of such Ruler and tending to prejudice the maintenance of friendly relations between His Majesty's Government and the government of such State. The reason that Mr Howell gave for hurrying through this measure is that unless it was promptly passed, unrestrained criticism of foreign States "might lead to a civil war or overthrow of the existing order of society." Journalists in India, I believe, had never any suspicion that they wielded such tremendous power. It was flattering to be told that they had that power, but there is a Bengali saying which means—"the sly one flatters to gain his ends." Under the Act the magistrate who tries the offence has not merely to decide on the defamatory character of the offending matter,—and this without the presence of any representative of the State supposed to have been provoked into unfriendliness to our own, but also on the fact that the matter actually tended to promote unfriendly relations between that State and our own. To do so it is not enough that he should be an expert on international affairs, for that itself would not help him to arrive at the conclusions to which the prosecution would invite him, but he must be in the confidence of the Foreign Office of our own Government supposed to have been offended. The Act is, in fact, an attempt to restrict the liberty of the press in the discussion of foreign affairs except in the manner approved by Government.

I do not propose to take much of your time in entering into an exhaustive comment on the Press Act (1931) as it has been modified by the subsequent Acts, I shall only note some of the silent arguments that have been advanced against the Act.

(a) The printing trade is assumed to be a dangerous business and a new press has to start with a halter round its neck. The Act provides for security to be taken from a new press at the discretion of a magistrate. The conductors of the new press are to be on their good behaviour for a period of three months at the end of which, if it is found that they have behaved themselves to the satisfaction of the little gods



of the police, they would be entitled to approach the magistrate for a refund of their deposit.

(b) A whole series of offences have been brought under extraordinary laws which substitute executive fiat for judicial decision.

(c) The provision for appeal, as has been held by some of the highest judicial tribunals of the land, is largely infructuous, some of the important clauses of the Press Act being too wide.

(d) The High Court, sitting as the only appellate court, has no jurisdiction to revise the order of the magistrate in regard to the amount of the securities, first and subsequent, demanded by the magistrate.

(e) The clauses relating to the forfeiture of the printing press are too drastic.

(f) The keeper of the printing press and the publisher of the paper, even when they happen to be one and the same person, are required under the same order to furnish separate securities.

(g) The Press Act as amended by the Bengal Criminal Law (Amendment) Act, 1932, makes the publication of even correct news punishable under a clause that is too wide in its scope.

(h) The Press Act as amended by the States Protection Act, 1934, has placed restrictions on the Press in India in regard to publication of news and of comments on the administration of Indian States though it is well known, that most of the States are run on autocratic principles and do not allow publication of what would be considered permissible comments in British India on their administration. Thus the Indian Princes in the administration of their States enjoy a degree of immunity from criticism which even the British Indian Government does not enjoy.

The Home Members pledge that Government did not propose to go beyond the actual necessities of the case or change the objective of the Press Bill which was to deal only with violent or murderous propaganda was forgotten and power was now sought to be taken to have control over the entire press not only in regard to writings calculated to encourage terrorist crimes, but in regard to writings of every other description. Sir Cowasjee Jehangir had a vision of the coming events, for he said in course of the Assembly debate on the Press Bill that Government were to see that the Bill when passed did not become an instrument of terror to the journalists of India. Sir Abdur Rahim's words were equally prophetic. He protested at the manner in which Government had placed its "double faced and deceptive measure professing to control violent writings but really aimed at taking control of the entire Press."

#### Operation of Laws

I cannot speak from my personal experience of all the different phases of the operation of the Press Laws in other provinces. From the way in which securities are demanded, I can well imagine that the bludgeon falls as heavily in Bengal as in other provinces. But in Bengal we have the privilege of being "advised" by a Press Officer, a privilege denied to other provinces. A sum of Rs. 23,200 was provided in the Budget and the Officer was appointed in 1930. In the course of a note circulated to members of the local Legislative Council and a copy of which was supplied to Government, the Indian Journalists Association thus described the *modus operandi* of the Press Officer's directions given almost from day to day, but the following will give you some idea about the way in which the Press Officer has been using his powers—

(a) News that is allowed to be published in the papers of all-India circulation in other provinces is not allowed to be published in Bengal newspapers of similar circulation. It has sometimes happened that provincial newspapers that are sold in Calcutta contain news that the Bengal papers had not been allowed to publish.

(b) Correct and authenticated news of a particular kind is not allowed to be published and, when allowed, is mutilated in such a manner as to make the news often misleading.

(c) Display of news of certain character is not allowed.

(d) Detailed directions are given as to the printing types that are to be used in the headings and body of the news and for the exclusion of certain expressions such as arrest of ladies and Moslems' from headings of news.

(e) Double-column headlines of certain news are not allowed.

(f) Detailed directions are given as to the arrangement and position of columns of news.

(g) Proceedings of the Indian Legislative Assembly and of the Bengal Legislative Council are not allowed to be published in full but are censored.

(h) Proceedings in law courts of Civil Disobedience cases and of cases involving terrorism are not allowed to be published in full but in a mutilated form and, as in the case of the statement of Miss Beena Das, accused in the Governor Shooting case, the "Statesman" was allowed to publish passages in that statement in regard to which strict directions were given to the Indian daily newspapers that they were not to publish them.

(i) Legitimate criticism of policies and actions of Government and Government officials are objected to.

In the days the Civil Disobedience Movement was in full swing one of the directions of the Press Officer to the newspapers was that in reporting beating by the police of members of processions taken out or of public meetings held in defiance of the Police Commissioner's orders in the City of Calcutta or in the *mofussil* towns and villages, the word "assault" was not to be used, the utmost that could be allowed was that the police dispersed the unlawful assembly or crowd by a "mild lathi-charge," though as a sequel to such mild charges people had often to be taken to hospital and sometimes more serious consequences followed.

"Generally speaking," the note of the Journalists' Association concludes, "the Press Officer will not allow to be published any allegations of wrong done by the police with the result that newspapers do not venture to publish things which may, in any way, offend his notions of what the press may publish."

It is true that the Press Officer no longer gives some of the directions of the kind given above. As a matter of fact the Bengal Press has adapted itself to the conventions established by the Press Officer. It must not be supposed, however, that he has ceased to give his "advice" altogether. As a matter of fact his advice flows with the same generosity as in the last few years, though the nature of it has been changed according to his conception of the necessities of the present situation. Thus the papers are warned as to the consequences of publishing news and comments regarding the hunger strike of detainees and incidents that take place in connection with the punishment of detainees in jail. Sometimes the Government issues orders over the head of the Press Officer. Thus it was only recently that publication of news about the observance of the "Detenu Day" was prohibited though the notices etc., of the meetings to be held were allowed to be published for days together.

#### PUBLICATION OF PROCEEDINGS OF LEGISLATURES

A matter of constitutional importance that arose out of the nature of censorship that is exercised over the press in Bengal requires an independent treatment. I mean the question of privileges of the press in connection with the publication of proceedings of the Legislature. Certain proceedings of the Indian Legislative Assembly were severely censored in the course of transit to the Calcutta Press. On an adjournment motion in the Assembly the question was definitely raised whether the freedom of speech secured to the members of the Legislative Assembly by the Government of India Act, extended to the publication of their speeches in the press. The question, as originally raised, was whether Section 63 of Ordinance No. II of 1932—"an Ordinance to confer special powers on Government and its officers for the purpose of maintaining law and order,"—or the Press Act of 1931 took away the freedom of the press in regard to the publication of the report of the speeches of the members of the Assembly. Sir James Crerar at first contended that an Ordinance was a law and the question, in his opinion, was what the actual effect of the law was. Following the usual practice of high officials when they find themselves in a quandary, the Home Member tried to shrink the responsibility of stating the view of the Government in regard to the effect of the Ordinance on the publication of reports of speeches of members by newspapers. Eventually, on being pressed by the President, Sir B. L. Mitter, then Law Member, gave his opinion in writing thus as to the effect of the law on the subject: "In my opinion, the Ordinances have made no change in the ordinary law of the land in the matter of publication in the public press or otherwise of the proceedings of the Legislature."

The Ordinances have made no change in the ordinary law of the land. But what is the effect of the Indian Press (Emergency Powers) Act, 1931, as amended by the Criminal Law Amendment Act, 1932? The English law is clear on the point and has been laid down in the celebrated case of *Wason vs Walter* by Chief Justice Cockburn. Provided the report is fair and is published without malice, no action for libel is maintainable. The Court in that case held, that if any person published a report of what happens in the Parliament at a time when the public are admitted and the report is fair, he is not liable in the action at the suit of any

person who happens to be affected by something libellous in the report. The reason is, the judgment proceeds to say, such reports are part of the ordinary business of parliamentary life and whatever injury is caused is unavoidable and no blame is imputable to the reporter or to the publisher or to the author. The same, presumably, is or should be the law in India. But one cannot be sure in regard to such matters. The question was also definitely raised in the Bengal Legislative Council, during the discussions on the Bengal Criminal Law Amendment Bill, 1932. Division was taken on a motion in connection with the Bill. The Press Officer "advised" the press not to publish the Division List. The question being raised, Mr R. N. Roid Home Member, stated that Government had no intention of taking the powers they proposed to take in the Bengal Criminal Law Amendment Bill in order to prohibit the publication of the proceedings of the Legislature. But what he said almost immediately afterwards virtually negated this intention. "What they wanted to check," he declared, "was publication of those privileged utterances by an irresponsible press in such a manner as to poison the minds of the young men." The Home Member further added that "it was very easy, with all the tricks of the journalists trade, by leading headlines by tactical juxta position by omissions and additions here and there, entirely to misrepresent statements made on the floor of this House in perfectly good faith and without the slightest intention that they should be used in that way." I presume, the prohibition of the publication of the Division List was to prevent journalists from playing their usual tricks!

By fifty five votes to twenty four the Assembly passed the Press (Emergency Powers) Bill. I do not know what the majority of the non-official Indian elected members thought but if any section of them were under the belief that the Government would, in the actual operation of the Act, limit it to its avowed objective, which was to control writings inciting to violence or murder, they were sadly mistaken. They had given the Government an inch as they thought, but they were soon to discover that the Government would take an ell from them. This happens whenever the Legislature has been persuaded to arm the executive with extraordinary powers in the good faith that these powers would not be abused. As a matter of fact these powers have almost invariably been abused. One very striking illustration of such abuse of powers has been furnished only recently in the action of the Government of India in demanding securities and forfeiting the securities of a large number of papers throughout India for having published news or having commented upon the Government measures taken in connection with the earth quake disaster at Quetta. The action has been taken in every case under the Press (Emergency Powers) Act. The offending writings were an encouragement neither of terrorism nor of Civil Disobedience. There was no emergency that could justify such summary and swift action. If the papers had by their comments or by the news that they had published excited hatred or contempt of the Government or committed any other offence, the ordinary law was there and the ordinary legal machinery was available for the Government to move and have the offending newspapers punished. But this obvious course was not adopted and since the Press Act was near at hand, it was applied to punish the offending newspapers. The temptation to use extraordinary powers has always proved irresistible to the bureaucracy. I would therefore earnestly request the members of the Legislative Assembly, when they will be asked to reenact the Press (Emergency Powers) Act on the expiry of its term even in a modified or milder form, to remember what has happened in the past. They have a precedent in the Princes' Protection Bill the introduction of which was refused by the Assembly. The Viceroy had to certify the Bill and had it passed by the Council of State.

Our demands are that the Press (Emergency Powers) Act, as it has been amended by the Criminal Law Amendment Act, 1932, Bengal Criminal Law Amendment Act, 1934, and the States Protection Act, 1934, should not be renewed in any shape or form, and that press censorship and all interferences with the discretion of the editors in the publication of news and comments should be done away with. The Press should be left to take the consequences of the violation of the ordinary laws of the land. It should be as free as the press in Great Britain and enjoy all the privileges which the British Press enjoys.

If despite all protest, the Press Act is reviewed in anything like its present shape or form, we members of the Press should take concerted action for the defence of our just liberty. The Conference will devise adequate measures and advise the members of the Press in the event of the protest we may register here being ignored. But I take the liberty of offering the following suggestions for your consideration --

(i) A ceaseless propaganda should be carried on in the columns of all newspapers and periodicals of India against the iniquities of the press laws

(ii) A systematic propaganda should be conducted in foreign countries to educate world opinion as to the iniquity of curbing the liberty of the press in India.

(iii) In the matter of publication of news that is correct and should be published in public interest, the Calcutta editors and editors of newspapers of other important towns and cities should have previous consultation and publish the news if thought fit simultaneously,

(iv) No paper should seek the 'advice' of the Press Officer if the post of such Officer is not abolished, on any matter,

(v) Editors and representatives of papers should refuse to comply with the request or order of the Press Officer to see him. He should be asked to give his 'advice' in writing,

(vi) Newspapers and periodicals should refuse to publish official communications that are not news,

(vii) The victims of the Press Act should be rendered moral and financial support.

I have by no means given an exhaustive of what we can and should do. Perhaps it would be said that whatever we might do would be of no avail. But I feel that we, the members of the Press, should stand or our self respect and refuse to acquiesce in methods that have been devised to debase and degrade us not merely in our own estimation but also in the estimation of the public. I believe I am disclosing no secret when I say that a part at least of our present position of helplessness is due to the failure on our part to act jointly and the handle that we have given to the Press Officer to exploit our desire to save our own selves on the suicidal principle that each one is for himself, the devil may take the hindmost! If we could act more in co-operation amongst ourselves and in a spirit of mutual trust and confidence, we could, even under the rigours of the Press Act, publish a good deal in public interest that we have not been able to do and cannot do now.

Self effacement—if I may be permitted the use of a paradox—is the badge of our profession. For the newspaper reading public the great body of journalists, who, by the very nature of their calling must remain anonymous, have but a nebulous existence. But journalists too are men and have to face the same realities of life as the members of other classes of society. Is it not, therefore, an anomaly that the Press, which unceasingly gives voice to the grievances of others is all but silent regarding those of its own members? I would not have referred to it if I did not know of the enormous amount of actual suffering and even misery which lay underneath this magnanimous silence. I need not labour the point, for I am sure you will all agree with me that the average Indian journalist is very far from being well off. In fact, his economic condition is most unsatisfactory. It was always bad and has become positively worse in course of the last three or four years. The circumstances, which in their totality are referred to as the 'economic depression', have affected the newspaper industry as much as any other. It is well known that a large proportion of the revenue of a newspaper is derived from advertisements and when trade is bad advertisers are naturally, though perhaps not wisely, shy. The result is of course, a worsening of the economic condition of all those who depend on the newspaper industry for their living.

The 'economic depression' however is a general malady from which almost all classes are suffering. We journalists have, over and above, our particular monster to fight. I refer to the Indian Press Emergency Powers Act which has had a most depressing effect on the profession to which we belong. I have already dealt at some length with the moral and legal aspects of this question. Let me now point out the disastrous economic consequences of that most reactionary measure. The rigour of the administration of the Press laws has not only arrested the progress of all forward movements in journalism but has actually narrowed down its scope. With the Press Act hanging over their heads as the sword of Damocles newspapers have ceased to be enterprising. Demands of securities by the Government have weakened the financial position of many, while not a few have been forced out of existence altogether. These causes have led to an increase in unemployment and underemployment among journalists.

The prosperity of newspaper or periodical depends on the extent of its circulation and the amount of support it can command as a medium of advertisement. So, from a business point of view, the chief concern of a newspaper is to increase its circulation and attract advertisements. Though each individual newspaper must rely

mainly on its own efforts for results in these matters, the struggle can be made a little easier for all by initiating and carrying on a general campaign of propaganda on behalf of the Indian newspaper press as a whole.

Let me take the case of advertisements first. A systematic propaganda can be carried on pointing out to businessmen the immense value and indispensability of newspaper advertisement. Publicity is the food that nourishes trade. It is necessary not only when trade is good but also, and perhaps more so when trade is suffering from a general depression. It is a wrong policy to restrict publicity during a period of depression. Only those who keep up steady publicity during the years of a depression will reap the full benefits of a revival when it comes. These and other points may be brought to the notice of prospective advertisers through systematic propaganda.

Propaganda in favour of increased circulation of newspapers is also desirable. But circulation of newspapers depends on a number of factors more or less of a general nature, one of these being the position as regards literacy among the people of a country. Such huge circulations as are common in the countries of the West are impossible here so long as the percentage of literates in India remains at its present extremely low figure. Besides illiteracy, a general lack of the reading habit and specially of the newspaper reading habit even among those who can read and afford to buy newspapers is a great obstacle in the way of Indian newspapers attaining large circulations. Circulation is also retarded by the very inadequately developed interest taken by our people in public affairs. Improvements must be effected in all these directions before large circulations of newspapers can become common in India.

In this connection I should like to refer to the scope and possibilities of vernacular journalism in our country. These, I believe, are enormous. The comparatively small outlay required for publishing a paper in an Indian vernacular is not a mean advantage which vernacular papers enjoy over those published in the English language. Moreover, the public that can be reached by the vernacular press is far larger than the public which is accessible to the English papers. As regards the newspaper needs of the rural population, these must be supplied, for a very long time yet, almost entirely by vernacular papers. No effort, therefore, should be spared to develop vernacular journalism in the country and thereby extend the field of journalistic employment.

The steps so far discussed for the improvement of the economic condition of journalists are of a general nature. They are calculated to further the interests of proprietors of newspapers as much as those of the working journalists, or perhaps, more the former than the latter. In fact the benefit to be derived from these steps will, so far as the working journalists are concerned, be indirect. I have now to draw your attention to a few questions which concern the working journalists specially and in which the interests of the proprietors of newspapers and those of the working journalists may appear at first sight to be opposed to the another.

It is a regrettable fact that regular payment of wages to the staffs is by no means a general rule in the newspaper industry in India. On the contrary, irregularity is the rule and regularity the exception. I doubt if so much irregularity in the matter of payment of wages as is in vogue in the Indian newspaper industry is tolerated in any other business. Wages are almost always in arrears and sometimes they are irrevocably lost. The resulting distress is great for the poor journalists who do not know how to insist upon and compel regular payment of their due wages. It should be one of the first duties of an association of journalists to take up this question. Moral pressure should be brought to bear upon the proprietors for regular payment of wages to their employees. Employers should realise that they owe it to the men whom they work not only to pay wages but to pay them regularly. Unfortunately many employers are not sufficiently conscious of this obligation and of the misery they inflict by their neglect to discharge it properly. This has led to the enactment in many countries of laws for the protection of workers. You are aware that a Bill whose object is to ensure regular payment of wages to workers is now pending before the Legislative Assembly. It was originally intended to be applicable to industrial workers only. The Select Committee, however, has enlarged its scope by making its provisions applicable to such brain-workers also whose salaries do not exceed Rs. 200 a month. If the Bill is passed into an Act and the same is given effect to, but may provide some protection for some of the victims of irregular payment. But that our strongest safeguard should be our own unity.

Irregular payment of wages is not the only bane of a working journalists life. There are many others, among which inadequacy of wages deserves prominent mention. Low wages are indeed a feature of the Indian newspaper industry. The average working journalist has very little bargaining power, so he has to accept whatever figure the employer may name. Hours of work constitute another source of suffering. Except in a few first class offices there is hardly any system regulating this matter and the staffs are generally worked for unconscionably long hours.

Closely allied to this question is that of leave. Very few officers have any fixed leave rules. Leave depends mostly on the sweet will of the proprietor. The practice of most officers, I believe, is not to grant any leave, except a few days casual leave in a year, with full pay. That is to say, the only rule they follow is "no work, no pay". Such a state of things should not be allowed to continue, for it does not take account of the needs of the working journalist as a human being. Not only does the existing system, or rather the want of one, make any provision for occasional respites from labour which are so necessary for those who ordinarily work at high pressure as journalists have to, but it also ignores the fact that journalists being men are liable to fall ill at times and may be compelled to remain in bed for comparatively long periods. I would suggest that provision should be made by all offices for a month's privilege leave with full pay for every eleven months work, in addition to a number of days' casual leave in a year. The absence of provident fund facilities in most offices is another factor which contributes to the general insecurity of the economic position of the working journalist.

While I have drawn your attention to many ills, I can name but one remedy. That is collective action. It is not in the power of individual journalists to take such steps as can bring about any considerable improvement in their condition. What the case demands is collective action. Hence is the great importance and necessity of the association movement. The association movement has yielded wonderful results in other countries. I want to emphasize the point that what has been possible in other countries can be done in this country also.

When I am still on the subject of the economic condition of Indian journalists, I would draw your attention to another crying need of the profession. I shall state this question in the words of Mr John Walter (of the London "Times") "Such a man (a journalist) is a slave to his work more than other men. He is kept working at high pressure. Day and night he is never safe from the telephone. His nerves are always on the stretch. Such a man is sure to have something of the artist in him, and, like other artists, he is often so absorbed in the pride and interest of his work that he takes no thought for the morrow. Only too often he may have neglected the obvious duty of insuring his life. And then one day the blow may fall. A serious illness, a nervous breakdown, an accident, or it may be the loss of employment owing to the amalgamation of his newspaper with another, with the consequent reduction of the staff—something may suddenly deprive him of the income upon which he had come to reckon. What is he to do? I ask you to find an answer to this question. In this connection, I may specially mention the "Newspaper Press Fund" of the United Kingdom. The magnitude of the service it has been rendering can be realised from the fact that in one single year (1933) grants and pensions paid out of this Fund and allied endowments amounted to £21,237. Payments since 1864 when the Fund was established upto 1933 totalled \$361,901. It may be noted here that the Newspaper Press Fund of the United Kingdom receives large donations from the public every year. We must try to establish a fund on similar lines in India for the benefit of journalists in distress. It is my hope that a nucleus will be formed at this very Conference.

There is no provision for training in journalism in India. The need is unquestioned though there may be some difference of opinion regarding the best method of providing such training. The majority view appears to be that special institutions for the purpose should be established as in some countries of the West. The idea of providing courses in journalism in Universities has been largely supported. Theoretical instruction as is imparted in universities must, of course, be supplemented by practical training in the university itself or in newspaper offices. The Indian Journalists' Association has given a scheme to the University of Calcutta which has been considering the matter rather too long one would think. The other universities have also under consideration this scheme or similar schemes. The Inter-University Board has recommended that Diplomas in Journalism should be given by the Indian Universities. I trust that these efforts will soon bear fruit, and at no distant date, there will

be a sufficient number of adequately trained journalists to meet the requirements of the present and of the near future.

The Press is perhaps the greatest of all educative forces in the present-day world. It should, therefore, be the policy of every enlightened Government to encourage the growth and circulation of newspapers by all means in its power. Cheap newspapers are a great desideratum in India. But newspapers cannot be cheap unless the cost of their production is low. In this respect, the Indian Press is not getting all the help and sympathy it can legitimately claim from the Government of the country. On the contrary, there is evidence of a tendency on the part of the Government to restrict the facilities already enjoyed by the Press. A recent example of such restriction is the enhancement of the press telegram rates. Import duties on paper and printing machinery also add to the cost of production of newspapers in India. The agitation must continue for inducing the Government to liberalise its policy in these matters.

Another serious danger that threatens the newspaper industry is the Government's competition with newspapers in the field of business. Newspapers and periodicals draw their sustenance largely from advertisements. When the Government begins to seek to profit by advertisements through the Radio or start radio periodicals and seek to draw advertisements from the market for publication in these periodicals, it looks serious for the Press. Whether the Government by these efforts makes profit or not is not the question. The ambition of the Government may not score higher than to make the Indian broadcasting service pay its way. Even if the ambition is not realised and there is a deficit the Government will not, for this ill-considered business enterprise, go into liquidation. But what may appear to be a harmless experiment to the Government may prove to be the death of many of the papers. There is a Bengal saying which means that slaughter may be done by either of two ways by the hand or by taking the bread out of the victim's mouth. The Press Act and its satellites are formidable enough weapons. Why have the other one also? It is a matter of satisfaction that Indian and non-Indian papers are *ad id* so far as this particular matter is concerned. In fighting for the liberty of the Press, we are fighting for the liberty of speech and of every kind of liberty, social, political, religious and economic.

#### The Presidential Address

Mr C Y Chintamani, in his presidential address said—'I regret that circumstances have not enabled me to take an active part in the affairs of the Indian Journalists Association under whose auspices we have assembled in conference, for the third time I believe. Nor was it given to me to attend the two previous sessions, held in Calcutta and Bombay under the presidentship of Mr Natarajan and the late Mr Rangaswami Iyengar. In the premature death of the latter, Indian Journalism and Indian public life have both suffered serious loss, and we of the profession in which he attained a leading position are the poorer for his lamentable demise. He was a zealous guardian of the interests of the Indian press and I recall with melancholy interest the deputation to Lord Irwin which he organised and led five years ago to represent our case against the Press Ordinance of that year. Thanks in the main to his advocacy and to the reasoned sympathy of that noble Viceroy, the deputation resulted in administrative instructions to local Governments which went some little way to mitigate the hardships undoubtedly caused by that needless and severe act of executive legislation. We are still passing through difficult times and greedily miss the guiding hand of the late editor of "The Hindu." Our first President is still happily with us. Mr Natarajan is a veteran in our ranks, having been a journalist for 45 years. First under the guidance of that great master of the craft—Mr G Subramania Aiyar—and we send to him our greetings and our good wishes for many more years of useful activity. I must not forget to make a reference to my venerated friend Babu Ramananda Chatterjee—journalist, teacher and reformer—a man who is respected wherever he is known for his high character and noble ideals. He has lately suffered a heavy bereavement and on your behalf and mine I offer to him our sympathy and condolence in the loss he is called upon to bear.

Fellow-delegates, journalism is a noble calling. Newspapers first came into being as a means of popular education. Their commercial side is a comparatively recent development. It was recognised that while educational institutions imparted knowledge and instruction to the youth, the adult population stood equally in need of education in a larger sense and it was thought that no better method was available to achieve this end than the dissemination of news and views periodically through the printing press. And when we look back upon the condition of the country a century ago and contrast it with the present, who will say that the idea was not correct or that years

and events have not completely vindicated the judgment and the patriotism of our wise and revered forefathers? I should not be understood to mean that the press has been the only agency to bring about a marvellous change in the mentality of the people. Educational institutions have unquestionably been the principal factor. But the press comes only next to them. If public spirit is to day widely diffused among the people, our political and other organisations are entitled to credit therefor. But have they not been powerfully aided by the press? Not only political emancipation, but the equally important cause of social reform, as well as industrial development, owes a great deal to the Indian press. Let us to day from this platform send up our humble tribute to the great founders of the Indian press—foremost among them Raja Ram Mohan Roy and Mr Dadabhai Naoroji—for the insight and foresight which they as uncommon men showed at a time when there could have been little of understanding or appreciation among their countrymen in general. Since then, other distinguished men, many in number, have adorned editorial chairs in the several provinces, and nowhere more than in Bengal. A profession which has included in its ranks men of the calibre and distinction of Harish Chandra Mukerji and Krieto Das Pal, Shambhu Chunder Mukerji and Surendranath Banerjee, the brothers Sisir Kumar and Motilal Ghose, Vishwanath Narayan Mandlik and Narayan Ganesh Chandavarkar, Bal Gangadhar Tilak and Gopal Krishna Gokhale, G Subramania Aiyar, C Karuna kara Menon and S Kasturiranga Iyengar. Pandits Madan Mohan Malaviya and Bishan Narayan Dar, and Babu Ganga Prasad Varma and Lala Lajpat Rai, is a profession that need not be ashamed of itself. We, the humble successors of the mighty men of old, have every reason to feel a pardonable pride not only in the nobility of our calling but in the greatness of our ancestry. We follow in their footsteps, we honour the traditions they have handed down, we humbly seek to serve the Motherland according to our limited capacities and opportunities in the same spirit and with the same motives which inspired our illustrious forebears. I should not omit to mention that among British journalists in India, too, there have been men honoured in their day, whose memories are still cherished with esteem by Indian reformers. Such were Robert Knight, W Martin Wood and William Digby, Messrs S K Batcliffe and Glyn Barlow such is Mr B G Horniman. The great Mrs Besant occupied a pedestal all her own. It is a source of regret to us that the majority of British journalists in India should interpret their mission in terms of temporary British interests in India instead of deeming it their duty and privilege to serve the land of their temporary sojourn and the people whose support is the indispensable condition of their continued existence. This evil is not of recent growth. Three-quarters of a century ago, Sir John (afterwards Lord) Lawrence deplored it in these words—

"The difficulty in the way of the Government of India acting fairly in these matters is immense. If anything is done, or attempted to be done, to help the natives, a general howl is raised, which reverberates in England and finds sympathy and support there. I feel quite bewildered sometimes what to do. Every one is, in the abstract, for justice, moderation, and such like excellent qualities, but when one comes to apply such principles so as to affect anybody's interests, then a change comes over them. (Letter to Sir Erskine Perry, Member, India Council.)

No wonder that at the present time, too, the Anglo Indian press ordinarily looks at public questions from a point of view different from or even opposed to that of the Indian press. So that, the struggle for the maintenance of the just liberties of the press against undue invasion by the Government, has had, and I fear will have to be carried on by the Indian press unaided by the other powerful section of the press in India. But this is an incident—one of many similar incidents—of the government of one country by another. And it is why the Indian press has always been, and I am confident will ever be, a staunch and unflinching champion of Swaraj for the Motherland held too long in subjection. In his struggle the press has always to be in the firing line and to expose itself to risks from which public men who are not journalists are at least partially immune. This risk the Indian press has cheerfully borne during all the years of its existence, and I am sure I can speak for all and every of you, fellow journalists that it will be not less ready in the future to do its duty manfully by the country, let the cost be what it may.

I have mentioned Swaraj. Let me emphasise that in present conditions in India no Indian paper has a moral right to exist which is not an advocate of Swaraj. Differences of opinion are bound to exist as regards the methods by which this is to be achieved. But there can be and I am glad to think that there is no difference between one Indian paper and another as regards the end itself. We who have in-



horrified the freedom movement from Raja Ram Mohan Roy and Mr Dadabhai Naoroji, cannot and will not be false to our sacred trust. But let me equally make it plain that we are not inimical to England nor hostile to the British connection with India. What we are opposed to, without apology and without qualification, is the British domination of India. We hold with J S Mill that the government of one country by another has no meaning and no reality except as the governing country treats the subject country as a human cattle farm, with the great Gladstone that the capital agent in determining whether England should continue to be in India should be the will of the people of India, and with Lord Oxford and Asquith that England and India owe a common loyalty to the twin ideals of justice and liberty. On this triple footing we advocate that India should be recognised *de jure* and *de facto* as an equal member of the Commonwealth of Free Nations popularly—unfortunately, still correctly—known as the British Empire, and that such deductions as may now be necessary from what Mr John Redmond called the full rights of "national self government should be the irreducible minimum and for the shortest possible number of years. According to our varying temperaments and convictions we may pursue what methods we may for the attainment of this object, feeling conscious all the time, in the language of my friend Babu Ramananda Chatterjee, that 'lack of uniformity is not lack of unity'. Subject however, to one mighty reservation. No manner of violence in any of our methods. Describe these as you may—constitutional, or 'peaceful and legitimate,' or 'truthful and non-violent,'—one method stands excluded—the method of violence. Politics is not religion, it is not philosophy, it is not science, it is an art. My favourite definition of it is 'the art of methods and results'. But however the results may be achieved, we ought not to and I trust will not—I pray that we may never be tempted to—resort to any unrighteous methods. I believe with my whole heart and mind in Christ's teaching that Righteousness exalteth a nation. The motto of every paper and every journalist should be, "Speak the Truth and do the Right."

In this point of view we not only do not approve or support or countenance or even tolerate the terrorist movement, definitely we want it to end or be ended. And in this we must recognise that exceptional situations may call for exceptional measures, as malignant diseases require drastic remedies, and when the remedial measures appear to us to be what the circumstances require warrant and justify, we give them our support. But we do insist—and we do not feel called upon to apologise for insisting—that the measures should contain in them elements of success that they should not be more severe than necessary that they should be administered justly and with moderation and discriminated, that they ought not to be directed against the innocent along with the guilty, and—thus is most important—that they should be accompanied by healing measures of constructive relief—measures economic and measures political. My complaint is that the policy of the Government of Bengal and the Government of India in dealing with the terrorist movement has uniformly been one sided, that they have trusted too much to repression and done too little—if anything—to attack and remove the root causes of the terrorist movement. They have been content with crude symptomatic treatment of a malady that is deep-seated, and almost evaded or avoided, despite long experience and continued advice, far-reaching measures of political and economic amelioration which are the *sine qua non* of success. Not even the modest recommendations of the Bengal District Administration Committee—an almost official body set up by the Government of Bengal themselves—resulted in practical action for the improvement of economic conditions. Instead, it was the recommendations of the Rowlett Committee which found favour with the Government of India—with what disastrous results is a matter of public notoriety. While on the political side the last word of British statesmanship is the anti-India Act for the perpetuation of British domination which has received the Royal assent and which, in the name of Reform, is going to be enforced in the face of the unanimous condemnation of Nationalist India. In such circumstances, how can there be improvement in the relations between England and India? The days of miracles are over. The Government and we have a common purpose that terrorism must be rooted out. But I fear that we differ very much in opinion as to the most effective means of doing this. I doubt not that the Government think they are in the right, much as we think we are. As things are, we are without power to make our opinion prevail nor is it going to be given to us under the coming unwanted and unconstitutional constitution. Nonetheless do we owe a duty both to the country and to the Government to state our views publicly and with complete frankness, and this duty our press is doing to the best of its power.

So far I have placed before you considerations more or less general in their

character, they indicate the nature of the work in which we as journalists are engaged and also, the peculiar difficulties which confront us in our task—peculiar to subject countries in which, in Mr Gladstone's words, the people rightly struggle to be free. True, there are national governments which do not allow the press any freedom worth mentioning. Newfangled ideas, such as Communism, Fascism and Nazism seek to force themselves into power on the dead bodies of their critics and opponents. In our own country there are the States in which there is no semblance of a free press. Luckily for us all, however, the British Government have not yet betrayed a weakness for dictatorship under any alias, they still cherish parliamentary institutions, they still believe in government by discussion, still their press, the best in the world, is the 'fourth estate of the realm'. But it is equally the fact that in this country, where they long to remain the dominant partner, their ideas undergo an unwholesome transformation and they show by their acts that they are more regardful of their special and privileged position than desirous of encouraging free institutions to grow. On our part we are naturally eager that power should be transferred from non-Indian to Indian hands, the bureaucratic administration should be replaced by a responsible national government. We are compelled by the circumstances of our position, it is not a pleasure we enjoy but a duty we have got to perform, to criticise the administration—its acts, its methods, its omissions—from day to day. Conflict is the unpleasant consequence. And in the conflict we as the weaker party get the worst of it. We can but cry and have no language but a cry. But, while in one breath we are mockingly told that while the dogs bark the caravan passes on even the consolation of a cry or a bark is grudged to us and laws have been placed on the statute book in restraint of our legitimate liberty to speak out our mind. Frederick the Great told Voltaire that there was a complete understanding between him and his subjects—they were to say what they liked but he was to do what he pleased. Here in India, God knows our Government do what they please but are jealous of our liberty to say what we think. On no other ground can I for one understand most of the restrictions imposed upon the Indian press. I shall be told that this is mere imagination, that the fact is that all the liberty for which the press has use has been left to it, that it is only offenders who are sought to be punished. I am content on this point to abide by the verdict of a disinterested and impartial tribunal. What would such a tribunal say on the wide language in which Sec. 124 A of the Penal Code is drawn? Or its convenient handmaid, Sec. 153 A? Or Sec. 106 of the Criminal Procedure Code? Or the Press Act of 1910? I mention this although it has been replaced as its worst features have been reproduced in still worse form and with additions which are an aggravation in the Act of 1931, which is still in force. This Act passed for one year was in the following year amended for the worse and its duration extended. Brother-journalists of Bengal, you have the added misfortune of being subject to the Bengal Criminal Law Amendment Act of last year. In other provinces, we enjoy the dubious blessing of provincial Special Powers Acts. They are to expire this year but the air is thick with ugly rumours that their duration is to be extended—I do not know for how long—possibly as an unconscious tribute to the coming reforms. I have studied every one of these Acts with the care which a publicist affected by them is bound to bestow on their provisions, and I have no hesitation in condemning all of them as unworthy of the British Government which professedly believes in a free press and as highly detrimental to the safety, the freedom and the growth of the press. I will not here attempt a detailed examination of the provisions of these various Acts. This has been done times without number in the columns of our respective papers and by independent minded members of legislative bodies. In large part, the Act of 1931 is a reproduction of the Press Ordinance that preceded it, and the latter was subjected to able and informed criticism by the late Mr Rangaswami Iyengar in the comprehensive address he delivered as President of our last Conference at Bombay. There has never been an adequate answer to the many and serious criticisms of some of the atrocious provisions of these laws. I am not surprised. There can be no answer. In a word, Indian journalists are apparently regarded as enemies of the State and anything is good enough for them while nothing is too bad. It is significant—and humiliating—that newspaper publications are reported upon by the Criminal Intelligence Department. If all of us are not actual criminals, the germ of criminality has perhaps found a congenial lodgment in our breasts and therefore we must be carefully watched as potential criminals! The Anglo-Indian press, conscious of its safety due to its policy, affects great surprise at our complaints against the press laws and asks in wonderment whether the contents of nationalist papers are not

the final answer to their own complaint. They are not. Our critics ignore the distinction between right and sufferance. For so long as it pleases the Government not to put in force any of the provisions of their drastic laws, well and good. But the moment they change their mind for reasons best known to themselves, what happens? That they have so changed their mind from time to time is a matter of recent history still too fresh in the public mind, it is too painful a memory, to need restatement. Many have been the victims of Government policy in times when they were seized by panic and acted as if everyone who was not with them was against them. Where were our friends of the Anglo Indian press then? They did not then admit the justness of our criticisms but turned upon us as if to say that we were suffering just retribution for sins. It is a familiar plea of the apologists of repressive laws, who include both the benefited and the unbenefited bureaucracy, that no loyal subject who did not engage in unlawful activities need fear them. Ladies and gentlemen this is the shibboleth of reaction. Burke answered it for all time when he pointed out as no one else could do, that it is no excuse for a bad law that it will be employed with discrimination, that very sparing use will be made of it on proved necessity that it is intended more to be a salutary warning to persons prone to err than to be a penal measure in everyday use. The very existence of a bad law on the statute book is demoralising both to the possessors and the victims of authority. It tempts the former to seek short-cuts to easy administration it is apt to make cowards and hypocrites of the latter. In India, without responsible government and with frequent occasions of conflict of view point and of interest between a ruling authority belonging to another country and drawn from another race and nationals concerned for the wellbeing and advancement of their Motherland the mischief of such objectionable laws is easily greater than in lands more fortunately situated. This is not untested theory it is a statement of facts proved by experience sad and long.

A question which I have often put to myself and to others but have not been able to answer or to hear answered is, where is the necessity of any special coercive legislation when there is on the statute book sec. 108 of the Criminal Procedure Code? You will permit me to set it out *in extenso*.

"Whenever a chief presidency or district magistrate or a presidency magistrate or magistrate of the first class specially empowered by the local Government in this behalf has information that there is within the limits of his jurisdiction any person who with or without such limits either orally or in writing, or in any other manner intentionally disseminates or attempts to disseminate or in anywise abets the dissemination of—

(a) any seditious matter that is to say, any matter the publication of which is punishable under Section 124 A of the Indian Penal Code, or

(b) any matter the publication of which is punishable under Sec 153 A of the Indian Penal Code, or

(c) any matter concerning a judge, which amounts to criminal intimidation or defamation under the Indian Penal Code,

Such magistrate, if in his opinion there is sufficient ground for proceeding, may, in manner hereinafter provided require such person to show cause why he should not be ordered to execute a bond with or without sureties, for his good behaviour for such period not exceeding one year, as the magistrate thinks fit to fix.

"No proceedings shall be taken under this section against the editor, proprietor, printer or publisher of any publication registered under and edited, printed and published in conformity with the rules laid down in the Press and Registration of Books Act, 1867, with reference to any matter contained in such publication except by the order or under the authority of the Governor General-in-Council or the Local Government or some officer empowered by the Governor General-in-Council in this behalf."

What is it, I seriously wish to know, which any Government desirous *bona fide* of preventing the press from becoming criminal but not of suppressing legitimate freedom cannot achieve by the application of this section? When objections were raised to the insertion of this section in the Criminal Procedure Code in 1898, the Government's answer was that regular proceedings under sec 124-A of the Indian Penal Code were too protracted to stop mischief promptly and that therefore the simpler proceedings contemplated by sec 108, Cr. P. C. were eminently desirable in the public interest. Under the influence of the panic caused by the occurrences in the Deccan in the summer of 1897, the Government of India proceeded at one and the same time to widen the language of sec 124-A and insert sec. 153-A in the Indian Penal Code, to insert sec 108 in the Criminal Procedure Code, and to give power to postmasters to detain articles which they suspected contained matter obnoxious

to Section 124-A or 153-A, I P C A nation-wide protest was made against this triple measure of coercion and this protest was voiced by such men as the then Maharaja of Darbhanga—Sir Lakshmeshwar Singh Bahadur of honoured memory—and Mr W C Bonnerjee. As usual the protest went unheeded, the Law Member who was in charge of the Bills exclaiming himself by the choice saying that he did not care a brass button what Indian critics thought of the legislation. I had an opportunity, five years ago, of asking the highest officers in the land what end they had in view could not be achieved by the enforcement of Section 108 and why they wanted the very rigorous Press Ordinance of that year. The answer was that experience had demonstrated the inadequacy of that section. I had the temerity to utter the challenge that it should be stated categorically where, when and how the alleged inadequacy became manifest. On my part I undertook to show that except in one case the magistrates concerned did uphold the executive with no interference from higher tribunals. The one exception was the case of Mr Tilak, who, asked by a magistrate to give security under the said section, won in the High Court which set aside the proceedings of the magistrate. During the many years that that section has been in operation, one or two more editors might have escaped unscathed by proceedings initiated by Government, but I am certain that in the overwhelming majority of cases the Government have had their way to their entire satisfaction. And yet they are not satisfied. Why? The only reason that I can think of is that the proceedings under that section are judicial—albeit the judicial authority is an executive magistrate, an officer subordinate to the Government, one whose prospects in service depend upon the goodwill of the Government. But the accused is there given an opportunity of showing cause and of vindicating his innocence. If he has the means and the will, he has the further opportunity of taking his case in revision to the High Court. This evidently has proved too much for the Government which prefers the reign of discretion to the reign of law. Lord Morley wrote to Lord Minto that the Government of India were against lawyers because they were against law. This was said by a Secretary of State and not by an Indian editor. The fact unfortunately is—or so, at all events, it appears to be—that the Government of India, inured by long habit to the ways of despotism, naturally prefer to be uncontrolled masters and as far as possible not to be checked by an independent judiciary. I regret that certain movements and activities—in particular the reprehensible terrorist movement—have given to the Government an excuse of which they have not been slow or unwilling to take full advantage, to indulge their inclinations to the great detriment of the press and of the freedom movement as a whole. I for one shall always find it difficult to believe wholly in the seriousness of the Government's professions that they do not want to discourage legitimate criticism for as long as they will keep alive the emergency powers Acts side by side with Section 108 of the Criminal Procedure Code 'Emergency' is defined in the dictionary as 'sudden occasion, 'unexpected' 'casualty' 'unforeseen occurrence, 'an event or combination of circumstances calling for immediate action, 'pressing necessity. But our Government in the exuberance of their executive zeal have gone so far as virtually to change the very meaning of terms and have on the statute-book emergency Acts *seus* name, which have been in operation for years and which, if rumour is to be credited, they want to keep up for years longer. There was once a Viceroy who had told the Convocation of the University of Calcutta that he looked forward to the day when public opinion would be in India, as it was in England, the irresistible and unresisted master of the Government. But, ladies and gentlemen Lord Ripon among Viceroy was the one swallow that did not make a summer. Fifty-one years after the departure from these shores of the Righteous, we are still waiting for the advent of another such Viceroy.

As if all that the executive Government were doing to encourage a free press were not enough, we, unlucky editors and publishers, are confronted by another misfortune in the use that is sometimes made of the power of High Courts to institute proceedings for contempt of court. I am certain, that I speak for every one of you, fellow journalists, for those present here as well as those who are not, that no single one of us is even remotely desirous of lowering by our writings the dignity and authority of a single court of justice, much less of the highest courts in the land to which we look up to protect the liberty of the subject against encroachment by the State. If we sometimes err we do so as the rest of humanity does, not excepting I fear, the courts themselves. When we do make mistakes, we do not claim immunity from punishment. But let us be tried in the usual manner and not by the

exercise of summary jurisdiction. This is undoubtedly appropriate to cases of attempts to interfere with the course of justice and even to criticisms which would have that effect. But I venture to think that the power inherent in High Courts to proceed by summary trial ought not to be employed in cases described as contempt by scandalisation. Ladies and gentlemen, in saying this I do not forget that I am a mere layman, and must therefore speak with reserve. But I am emboldened to put forward my view, as I have on my side no less an authority than Mr Justice Manmatha Nath Mukerji, whose comprehensive judgment delivered a few months ago I have read with equal comfort and, if I may say so with respect, admiration. In view of the refusal both by the High Courts in India and by the Judicial Committee of the Privy Council, of leave to appeal on the ground that the High Courts have exclusive jurisdiction in such cases, I venture to think that it is up to our legislators to amend the present law by a new Act. If the position remains as it is, I fear that while the press in India may, within the limits allowed by the very liberal press laws of India, criticise the Prime Minister and the Secretary of State, the Viceroy and the Governors, it cannot without undue risk, utter a word of even moderate, legitimate and justified criticism of High Courts and anything done by them.

I have already mentioned the deplorable conditions in Indian States where there is no free press worthy of mention. If there are exceptions, they are few and far between and but serve to prove the rule. Broadly speaking the only independent criticism of the affairs of States is criticism offered by the press of British India. But the Government of India far from using their position of supreme influence to persuade and encourage the ruling Princes to afford adequate facilities for the development in their States of a free press and free institutions generally, have placed on the statute-book of British India measures of protection to the Princes against criticism by papers in British India. The aggrieved subjects of the States, denied not only responsible but representative government and denied the right of free criticism either on the platform or in the press, now find that they cannot make full use of the press in British India which is ready to serve them, on account of the Princes' Protection Act. In the discussions on this piece of legislation in the Legislative Assembly in 1933 and 1934 no successful attempt was made to show that the Act of 1922 had failed to give adequate protection to the Princes or that the attitude towards the Princes of the press of British India as a whole was so unfriendly that summary action against them was required. In the coming all-India federation no rights of citizenship are going to be conferred upon the subjects of the States. Through their nominated representatives in the Federal Legislatures the Princes will be in a position to influence the course of affairs in British India. But they will be immune from any manner of interference from people in British India with their affairs, however conducted. There is no trace of liberalization visible anywhere. And it will not be open to the press of British India to help the subjects of States governed by medieval methods by offering free criticism with a view, not to injure the States or the Princes, but to serve them and their subjects in an enlightened manner and with disinterested motives. Let it be said in fairness to the Princes that it did not appear from the discussions in the Legislative Assembly that it was in response to any wide demand from their Highnesses that the latest Act was placed on the statute book. It was an instance more of the over-zeal of the Government of India to protect a absolutism. Let it not be over looked that it was only in laud intervals which are neither many nor of long duration, that our Government act as the agents of progress.

Now, fellow journalists, allow me to say a few words on matters of purely domestic concern. I have spoken of the enormous difficulties by which we are confronted in the daily discharge of our duties. In the face of such and so many disadvantages, it is our obvious duty to organize ourselves so that the Indian press may on all occasions be able and ready to act as an unit in defence of its threatened rights and its imperiled interests. By the side of the press of England and America we are nowhere. While our numbers are vastly larger we are backward by our comparison with the Anglo-Indian press. The latter has the support of wealthy commercial corporations and of the Government which is in the hands of its own countrymen. It is up to us, after so many years of existence, to make up for lack of outside support and for difficulties beyond our control by the strength of our internal organization. I fear I utter a common-places when I say that such organization is more an aspiration of the future than a fact of the present. In saying this I hope I shall not be understood to be lacking in appreciation of the efforts made in the last few years by the Indian Journalists' Association of the city, which has striven to do its best

in the service of the press of India. But it has not received from the press of the country as a whole a fraction of the support which it could reasonably claim. The main difficulty is that we live in a country of almost impossible distances, and frequent committee meetings are for the reason very difficult. But it is essential we should do our best to overcome this and cognate difficulties and wake up to our duty as members of a profession noble in itself and indispensable to the progress of the country, but placed in an extraordinarily difficult position. Not only have we to adopt measures of defence against repressive legislation and its rigorous administration but we have to strengthen the financial position of the Indian press. Our ideal is not a capitalist press in which the individuality of the editor is remorselessly subordinated to the financial interests of the proprietor but a press financially strong enough to overcome vicissitudes of fortune and able to serve the nation effectively at all times. The attitude of the Government has received a recent illustration in the increase of the rates for press telegrams by over 15 per cent. Secondly without any demand from any section of the public of the priority accorded to ordinary press over private telegrams has been abolished. The telegraph department notwithstanding the increase of rates, continues to charge a fee for keeping accounts of bearing press messages.

There are frequent complaints that press employees are not accorded fair treatment in respect of security of tenure or fair remuneration or reasonable hours of work. On the side of employers there are complaints that men with a fair degree of ability and knowledge are not easily available for engagement on the staffs of newspapers. While sufficiently high preliminary qualifications are required of members of other professions, there are no institutions for the training of journalists and no minimum qualifications demanded of applicants for appointment as sub editors and reporters. It is not always realised that not every stenotypist can be a reporter and that not every man who has failed to get a job elsewhere is good enough for appointment as a sub editor. Last year in Calcutta an attempt was made in this behalf and a scheme was actually drawn up for the institution of courses in journalism in the University of Calcutta. I do not know what progress has been made with it. I hope it will be found possible to introduce in at least some of our universities courses in journalism not necessarily identical with but more or less similar to those which have been in force for a number of years in the London School of Economics. Ultimately it is true, the best school of journalism is the office of a daily newspaper. Nonetheless, a certain amount of preliminary training of prospective journalists should be very welcome to those who are responsible for the conduct of our big newspapers.

In England there are institutions with large funds at their command for the benefit of newspaper press employees. In India persons who are so imprudent as to become journalists are seldom free from anxiety for the wives and children they will leave behind them. I fear that in very few newspaper offices are there provident funds for the benefit of their employees. Worst of all, it has just come to my notice that there are not wanting a few, I sincerely hope they are a very few, seemingly big newspapers which, taking advantage of the unemployment among the educated, are running themselves with the aid of a subordinate staff made up mostly of apprentices paid nominal wages. It may be that they are not well off financially but this practice, if unfortunately it does exist as it has been reported, is reprehensible and must be condemned.

Fellow-journalists, all these considerations point unerringly to one conclusion. It is that we must put our house in order. We must strengthen the Indian Journalists Association and make it a stable and permanent organisation. It should have a strong and representative executive with authority to act in important matters in the name of the Association—to meet attacks from outside as well as to perfect the organisation of the newspaper press of India. Minor differences of opinion on political or other issues ought not to be allowed to affect our common loyalty to an institution which has a right to our allegiance and our service. It is our good fortune that notwithstanding so many handicaps the Indian press has developed and expanded so remarkably in the last two generations. But to rest on our oars is to invite disaster for the future. 'Contentment spells decay.' The employers and the employed, newspapers and news agencies, all should co-operate in a common endeavour to make the newspaper press of India stronger, more distinguished, more prosperous, more powerful for good.

In all this, however, we may be circumstanced, by whatever difficulties confronted, whether prosperity may shine upon us or adversity may depress us, let us pray to God that we may never allow ourselves to be tempted to yield to weakness, to think

of self more than of the country, and to tarnish the honour and the glory of our noble heritage I need not recall to you or to the Government Milton's classic piece on the liberty of printing. I will, with your permission, quote from a great speech on The Press of the Empire. Addressing the delegates of the Imperial Press Conference on June 5, 1909, Lord Rosebery said

"We have had conferences before—many of them conferences of great importance—at which the Prime Ministers and Ministers of the Empire have met together to consult on the great matters of policy which concern the Empire. It is no disparagement to these gatherings to say that I hold that this is more important still. I have the greatest respect for Prime Ministers and Ministers. But whatever their splendour may be when they are the ascendant, they are essentially transient bodies while good newspapers are or should be eternal, and the power of a great newspaper, with the double function of guiding and embodying the public opinion of the province over which it exerts an influence, is immeasurably greater than that of any statesman can be."

It is impossible for a man like me to improve upon the language or the sentiments of one who in his day was known as "the Orator of the Empire." Such being the position of the press in the life of a community, we all, fellow journalists, can do no less than to pray to God to give us strength to live our journalistic lives in accordance with the precept of John Bright—Be Just and Fear Not.

#### SECOND DAY—RESOLUTIONS—13th AUGUST 1935

The Conference concluded to-day after passing a number of resolutions touching the various grievances of journalists and newspaper proprietors all over India.

The Conference urged the abolition of Indian States' Protection Act, the Bengal Criminal Law Amendment Act and the Press Emergency Act, objected to the maintenance of the Press Officers in Bengal and demanded immediate abolition of Press censorship.

Organisation of publicity campaign on Indian affairs in foreign countries for the purpose of counteracting anti-Indian propaganda was decided upon and exception was taken to the Government's competition with newspapers in securing advertisements for the Government and semi-Government publications.

An official resolution which evoked much discussion and which was eventually rejected by 51 votes to 49 was about the training of journalists in Indian Universities. After passing a comprehensive resolution about the welfare of working journalists, recommending recruitment to staff of different newspapers from the register of unemployed journalists kept by the Journalists Association, the Conference decided to establish provincial associations all over the country asking them to be affiliated to the All India Journalists Association, Calcutta, which was recognised as the Central organisation.

The next session of the Conference was decided to be held at Lahore

## The All India Medical Conference

The twelfth session of the All-India Medical Conference was held at Nagpur on the 26th December 1935 under the presidency of Dr U Rama Rao who criticised the constitution of the Indian Medical Council and dealt with the position of medical education and research in India and the need for the encouragement of Indian systems of medicine. The following are extracts from the address —

There is no subject more engrossing the attention of the Medical Profession in India at the present time than the Indian Medical Council. A Medical Council for India has no doubt been established at long last and its work is now in full swing. But this is not the Council you and I have had in view. This Council is only an apology for a Council—a grand appendage to the Government of India and a tiny plaything of the British Medical Council. It will be a twice told tale if I begin to narrate the history of the Council in detail.

The present Indian Medical Council is not what the nation wants. It requires radical reform and nothing but a repeal of the Act and re-enactment on democratic lines will satisfy us. I am afraid the present Assembly may not be able to help us, for, though we have a steam road roller now in place of the old, lifeless, soulless, stone roller possessing some strength and power it has not got sufficient steam yet successfully to effect radical reforms. At best, it can only attempt some patch-work. We must, therefore, await better times. Meanwhile, I urge on our medical brethren in the Legislative Assembly to introduce an amending Bill, in its winter session next month, just to feel its pulse. We have been given Swaraj for India, that is, at least, what the Britisher now boasts of. Then why should he object to our having Swaraj in Medicine? Whether the British Medical Council likes it or not, our aim ought to be "to establish a uniform minimum standard of qualifications in medicine for all provinces such that persons attaining thereto, shall be acceptable as medical practitioners throughout India, and thus we must strive to attain at any cost."

Medical education in India is in a most unsatisfactory state calling for thorough overhauling and immediate reform. There are two standards of qualification, one, a University degree and the other a licence or diploma. The holders of the University degrees, who have been placed under ban for over five years, have now begun to bask again in the sunshine of the B. M. C. The University degrees of Bombay, Madras, Calcutta and Lucknow have since been recognised and it is hoped that with the good offices and kind intervention of the Indian Medical Council, the other University degrees also will come to be recognised in the course. The plight of the Licentates, however, is beyond description. At present, there is no provision for higher education for L. M. P. s in this country and those who aspire to higher qualifications are compelled to proceed to England to take up a continuous course for at least two years. So long as they remain in India, it is impossible for them to obtain a qualification which is registerable in the United Kingdom unless they are prepared to go through a University course from the very beginning.

Now, there is only one course open for us, if we should aim at the ideal of a uniform high standard of training with a single high minimum standard of qualification and that is this —The minimum preliminary educational qualification must be Intermediate Examination in Arts with Science optional or an entrance examination in English, Physics, Chemistry and Biology of the Intermediate grade connected by a Board of examiners appointed by the Government. The selection of students should be made on merit and not on communal basis. A statutory body like the Royal College of Physicians and Surgeons in England should be established in the capital of each province and the course should be of five years duration, the curriculum, instruction and examination being the same as for the University graduates. There are enough facilities for clinical studies in capital cities and there are any number of men with British qualifications who can be appointed as Honorary Physicians and Surgeons in Hospitals attached to teaching institutions and as teachers in colleges on a modest honorarium. The College of Physicians and Surgeons should consist of about 50 members chosen from the pick of the medical profession in each province, the non-official element preponderating. The colleges will conduct examinations and award diplomas. There may be three diplomas, the Fellowship (F. C. P. S.), Membership (M. C. P. S.) and Licentiatehip (L. C. P. & S.). Graduates of the



medical colleges should be allowed to appear for the F C P S examination, the highest qualification of the College of Physicians and Surgeons. This will level up the distinction between the two classes. This qualification should be made registerable both in India and England.

Closely allied to Medical education is Medical Research. Unfortunately in India, research work is not encouraged to the same extent as its importance demands. Medical Research here is often associated with the I M S. fat salaries, high altitude, quiet solitude, cool and breezy climate and very little result. The right place for medical research is Calcutta, Bombay or Madras and not Kasauli, Dehradun, or Conoor. Nor can researches done in London be imported to Delhi. Our Medical problems are different and require hard work under the tropical sun amidst the sick and suffering. No facilities whatever exist for research and post-graduate study in any of the University centres. If Medical Research has not advanced to an appreciable extent in India, the fault rests entirely with the Government. The best Indian Medical talents are allowed to rot in Government Hospitals or eke out a scanty living by private practice.

More opportunities should be given for Indian talents and the Indian Universities being mostly Indian in character and composition, it is not difficult to achieve this end.

The Indian Medical Service has a long and interesting history behind it. For the last 175 years or more, this grand service, it must be admitted, had held aloft the torch of Medical lore and had helped a great deal in shedding the lustre of Western Medical Science in India. Though the Indian Medical Service is a purely military service, it has practically remained a Civil medical one all these years. Between 400 and 500 officers are lent by the Military Department to the Civil side, for whom nearly 278 Civil posts are reserved. These posts include administrative posts under the Government of India and the various Provincial Governments for medical relief, sanitation, education and research work in the country. Other executive appointments are also held by them such as Superintendents of jails and mental hospitals. Such combination of civil and military duties, which subordinates the needs of the civil population to the requirements of the military saddling the country with enormous expenditure, is unheard of in any other civilized country in the world.

Various have been the attempts made to separate the Civil medical service from the Military and the grotesqueness of a doctor going to see a patient with a sword in one hand and a stethoscope in the other, had attracted the attention of the Government of India, as far back as the year 1879. But this anomaly has not been removed even in the new Indian Constitution and the domination of the Indian Medical Service has been perpetuated. The Indian Medical Service has come to stay with us permanently until at least another stage in the advancement of Self Government has been reached. God knows when this is going to be. So, we must make the best of a bad bargain. The Indian Medical Council too must urge, after four years for a registerable qualification in India for entrants to the Indian Medical Service. This qualification must include proficiency in Tropical Medicine.

Women of India have now come to the forefront in all walks of life. They find the Medical field no less alluring and attractive than the educational, which they first entered. A number of women graduates and Licentiates in Medicine are being turned out by Colleges and Medical Schools in every province, year after year. They too suffer like their brethren, in the struggle for existence. The Government of India have recently organised the Women Medical Service. This service is recruited in India. It consists of 42 members for All-India. Of them 50 per cent are Indian. For a vast sub-continent like India, this number is too poor. More women, specially Indians, must be recruited for this service.

Nearly four lakhs of rupees are paid every year to the Women Medical Service from public revenues. So the appointment should be made by an independent body like the Public Service Commission. The proposed contract that members of the Women Medical Service reserve, proceeding to England for their study, should resign if they marry within four years after returning from England, should be abolished. It affects a number of Indian candidates, as few Indian ladies would be prepared to bind themselves against marriage.

There are three grades of medical men serving under Government, the Civil Surgeons, the Assistant Surgeons and the Sub-Assistant Surgeons. The Civil Surgeons are promoted from among the ranks of Assistant Surgeons who are seniors. These men though given independent charge of hospitals are given subordinate position when an I M S officer is posted to the hospital, though he happens to be the latest recruit. The other two grades are kept separate and water-tight and whatever the length of

service and whatever the reputation of the Sub-Assistant Surgeon, he cannot enter the Assistant Surgeon's cadre, except in rare cases where he happens to be in the good books of the head of the Medical Department. I would suggest that a Provincial civil medical cadre be formed and that promotions be made from Sub Assistant Surgeon's cadre, on grounds of merit and efficiency, until both these classes get merged up. I would even go to the length of suggesting that a competitive examination be held to which Licentiates and Graduates be admitted to fill up vacancies in Assistant Surgeon's grade and those who come out successful be promoted to that grade, not as a matter of grace but as a matter of right.

Most of us here belong to this category. The independent Medical Practitioners depend entirely on private medical practice for their livelihood and they have to carry on thus against what may be called 'State Aided Competition'. It is really hard for a Private Medical Practitioner to compete with medical men subsidized by Government. The independent medical practitioner has another more formidable opponent in the person of the *Hakim* or *Vaidyan*. The profession is overcrowded and acute unemployment is now staring them in their faces.

The Rural Medical Practitioners are quasi-independent medical men who now flourish in the Madras Presidency. If the honorary scheme was intended to relieve intellectual bankruptcy among the Profession, the rural scheme was intended to relieve financial bankruptcy. Under this, the medical practitioners are given an annual subsidy of Rs 6000, half of which will have to be expended on rent, ward-boy, sweeper and the like, and Rs. 400 for medicines, which is no doubt inadequate. They must locate their practice in village parts, treat the necessitous poor free and receive fees from the rich. A midwife is also attached to these rural practitioners have been placed under the control of Local Boards. In course of time, they got themselves mixed up in local politics and were perforce obliged to take sides in local board elections and the like with the result that they had become the victims of persecution by one party or the other. But these men are made of sterner stuff. They formed themselves into an Association, held annual conferences, waited in deputations to the Minister and the Surgeon-General got their grievances redressed and thus firmly secured their positions. They are better off now. This rural scheme has recently been introduced in Canada in 1930 and the rural practitioners there are called community doctors. These men are handsomely paid about Rs 4,500 per annum as subsidy. I quote below the relevant portion of that scheme — "Of the 866,700 people who live in Saskatchewan, Canada, over three quarters reside in rural districts. Many of these are separately settled and in these thinly populated areas, it is often impracticable for a doctor to establish himself. To cope with this condition the provincial legislature during the session of 1928-29 passed two measures which constitute something new in Government administration. The first measure provides that the Council of every Municipality shall be empowered to make a grant to a medical practitioner to induce him to reside and practice his profession in that Municipality and in consideration of such residence and practice a grant of money upto 1,500 dollars (£300) shall be paid to him. I wish this scheme is extended to other parts of India and modified according to provincial needs.

There is no country in the world where medical relief is so poor as in India. It is a well known fact that the Aryans of Ancient India exhibited their skill and genius in all the departments of medicine and although the vicissitudes of foreign conquest and a number of other factors, coupled with the withdrawal of State aid, interfered to break the continuity and turn the scale of progress back, records still exist in plenty to demonstrate that the Hindus of old possessed a good knowledge of the human frame, of the ills that the flesh is heir to and the methods to be adopted to remove them. The Aryan system of medicine is known as the Ayurveda. After the Muslim conquest of India, the Unani system began to flourish in this country and had the support of the State. There is also another system named the Buddha which is the Tamil system and which is largely in vogue in South India. These three systems, though greatly deteriorated, had and still have large public support. They cater to the needs of nine-tenths of the population of this country. It was thought highly desirable in the interest of the people that these systems should be placed on scientific basis. The Madras Legislative Council began to put pressure on the Government. A Committee was appointed of which I was a member, to investigate and submit a report. As a result, the Government Indian Medical School was established in Madras in 1925 with a big hospital attached to it. Similar agitation was also set up in other parts of India. I understand two Ayurvedic Colleges and an

Unani College have also been established in Northern India. The Indian Medical School in Madras is being well-conducted and instruction is imparted in all the three systems, Ayurvedic, Siddha and Unani.

India's position is unique in this regard. Instead of utilising the drugs found within her own borders, she has got to depend on countries thousands of miles away, to fill the empty bottles of her Pharmacies. Taking the figures for 20 years between 1909 to 1929 we find the value of drugs and medicines imported to India, excluding chemicals and narcotics increased from 73 lakhs in 1909 to 202.12 lakhs in 1929 while the value of raw drugs exported from India also increased from 15.5 lakhs to 41.6 lakhs during the same period. Thus the trade balance in favour of importing countries at the end of 1929 was 161.6 lakhs. On the basis of the average struck out from the above figures, the trade balance at the end of 1934 can be put down at 200 lakhs. Thus India is the loser by Rs. 2 crores annually in the drug trade. The Government of India ought to have long ago established Chemical Laboratories in important centres in this country, where the tinctures and other medicines can be prepared out of the drugs collected first-hand in the country.

In the year 1927 the Council of State passed a resolution in the following terms—  
“This Council recommends to the Governor General-in-Council to urge all Provincial Governments to take such steps as may be possible to control the indiscriminate use of medicinal drugs and to legislate for the standardization of the preparation and for the sale of such drugs.”

To give effect to this resolution, the Government of India appointed a Committee with Lt. Col. Chopra as Chairman. But the terms of reference precluded the Committee from dealing with the economic aspect of the question. The masterly report of Col. Chopra was practically shelved until recently it was unearthed by the Council of State by another resolution. The Government of India have now come forward with their proposal to establish a Bio-Chemical Laboratory at Calcutta and have asked the Provincial Governments to follow suit. A laboratory in every Province is absolutely necessary to test the purity of drugs and no time should be lost to set them up.

There is again another economic aspect which the Government have failed to consider. That is the dumping of patent medicines and secret remedies which have dealt economic ruin on our land and have caused indescribable harm to the people. The import of these patent medicines should be stopped and no medicine should be allowed to be imported which does not disclose its formula on the label. Medical men should refuse to prescribe patent medicines whose formula has not been disclosed. A great deal of propaganda is necessary to impress on the people the harm in taking patent medicines advertised in papers as specifics for diseases. Mahatma's Village Industries Improvement Association might profitably include this item in their programme and dissuade people from using patent and proprietary medicines and foods and thereby stop the flight of nearly half a crore of rupees annually from our land.

Even in the matter of supply of drugs and medicines there is the military domination over the civil. The medical stores are military stores, they get the supplies from England and distribute them to Civil Hospitals. They charge 20 per cent extra as departmental charges. But when the supplies are made to Local Boards and Municipalities a further levy of 20 per cent is made. Thus, when the medicine reaches the rural population, its original cost is raised by 40 per cent. I raised this question in the Council of State in 1927 and pressed for freedom for Provincial Governments and Local Boards to purchase their stores direct from any approved vendor. Though the Government promised to do something in the matter, I understand the same old system still continues.

The compilation of an Indian Pharmacopoeia is a great desideratum, and the time has now arrived for taking up this question in right earnest. The various formulae given in the British, U. S. A. and other Pharmacopoeias, may, after sufficient laboratory test and trial in our own country, be adopted with advantage and included in the Indian Pharmacopoeia. The indigenous system of medicine may also be standardized and such of the therapeutic agents as are really efficacious may be brought within its fold.

We, medical men, have got to shoulder greater responsibility in promoting public health and social well-being than we have hitherto done. In private practice, we must not fail to impress on the patients the benefits of fresh air, pure water, nutritious food, good exercise, sound sleep and a host of other things which are indispensable, not only to cure them of their maladies but also to prevent them from contracting fresh ailments. That way lies our success in our profession. We must undertake health propaganda work and do our little bit towards prevention of diseases. In

rural parts, there is very great opportunity for social uplift. The Rural Medical Practitioner, if he is so minded, can keep the few villages under his control in a perfectly sanitary condition.

The next thing that we would like to impress is the necessity for greater co-operation between the medical practitioner and the State. Medical men should enlarge the narrow purpose of directing their almost exclusive attention to morbid conditions and the remedy of such conditions by drugs to the preventive aspect of medicine.

A free and effective means of preventive medicine is the institution of a National Health Insurance scheme. This is a co-operative organisation between insured persons, the friendly societies, the medical profession and the Government, especially designed for "insurance against loss of health, and the prevention and cure of sickness." In England it is controlled by medical and lay co-operation. 16,000 doctors (very nearly 70 per cent) of the medical practitioners in England and Wales have agreed to accept their right, under the Act to give preventive and curative advice and treatment to sixteen million insured people. The doctor is paid for each person on his panel, whether he becomes a patient or not; the patient has a free choice of his doctor, and may come at the very beginning of his sickness undeterred by any question of fee. The doctor's duty is to diagnose and treat the illness and to estimate the resultant incapacity. There is no doubt bound to be some complaint in such a vast scheme, but taken as a whole this scheme has provided medical relief and service for half the adult population of England.

A word about the Indian Medical Association and its activities and I am done. The Association has got though short, yet a creditable record behind it. The object of the Association are (1) to secure the promotion and advancement of Medicine and allied Sciences, (2) maintain the honour, dignity and interests of the medical profession and (3) secure the co-operation between the members thereof. The first of these objects is being fulfilled by the publication of the monthly journal called "The Journal of the Indian Medical Association" and the reading of scientific papers and discussion of scientific topics in annual conferences such as this. The second object has been amply fulfilled by the noble and strenuous part the Association played in the battle with the British Medical Council and the ultimate establishment of the Indian Medical Council. If the Indian Medical Council is not to our liking, it is not the fault of the Association. "Even a worm can turn" is no idle saying and the Indian Medical Association has sufficiently demonstrated its truth to the British Medical Council. This is no mean achievement. But the fight is not yet over. There are many more things to be done before we can maintain our honour and dignity and safeguard our interests. To attain this end, unity is essential. Every member of the medical profession in India should be a member of the Indian Medical Association. The Association has thrown open its doors even to Licentates. It is high time, therefore, for the All-India Medical Licentates Association to be incorporated with the Indian Medical Association. A beginning may be made by holding the Annual Conferences of both the Associations at the same time and at the same place and having a common meeting for scientific discussions.

# All India Women's Conference

10th Session—Trivandrum—28th Dec 1935 to 2nd Jan 1936

Surveying the progress achieved by women in various directions towards the removal of their disabilities at the tenth session of the All India Women's Conference held at Trivandrum on the 28th December 1935, Her Highness *Maharani Sethu Parvathi Bai* of Travancore stressed that the fundamental problem of women was not political nor even social but economic. The solution of their problems, said Her Highness, depended on securing for them in 'marriage and out of it economic independence. To achieve this end was the work before the Conference.

## The Welcome Address

*Mrs. Madhavamma Kunjan Pillai*, Chairwoman of the Reception Committee, in the course of her address said:

During the nine years of its progressive existence the All India Women's Conference held all its sessions in British India only. We in Travancore feel gratified that it has been our privilege to invite the Conference to meet for the first time in an Indian State, and we hope that the holding of the Conference in Travancore will dispel the imaginary barriers which superficial observers conjure up in the path of our steady endeavour towards national solidarity.

Trivandrum excels most of the other cities in its natural beauty of hill and dale, its perpetual verdure and the landmarks of a continuous civilisation. Here is a land in which women have always been regarded with respect. The resolutions passed at the All-India Women's Conference in previous years emphasise the necessity of effecting such changes in the laws of inheritance and succession as to make the lot of our sisters in other parts of India endurable. But here in Malabar the woman has from time immemorial been invested with independent rights of property and a well-recognised social status. She forms the stock of descent in Matrarchal families, her children and the children of her daughters succeeding to the ancestral estate. If in the days of old there were in Kerala women poets and women scholars, to-day there are large numbers of them playing a prominent part in the various departments of public usefulness.

Travancore and Cochin are the best educated areas in the whole of India. In Travancore the foundations of modern education were laid broad and deep by a woman, Her Highness *Ram Gouri Parvathi Bai*, who so early as in 1817 commanded that the State should defray the cost of education in order that there might be no lukewarmness in the spread of enlightenment. By the diffusion of education Her Highness wanted the people to become better subjects and more efficient public servants. The liberal policy then inaugurated by Her Highness was amplified and extended by the Government and various private agencies. During the last ten years there has been an average annual increase of nearly ten thousand, and a total increase of over 63 per cent in the number of girls brought under instruction. The percentage of literacy among women in Travancore is 16.8 while it is only 2.9 in British India.

The Purdah system is unknown in Malabar except among a small section of the Mahomedans and the Nambudiri Brahmins. Child marriage is very rare. According to the last census only 42 girls out of 1,000 between the age of five and fifteen were either married or widowed in this State as against 221 in India. But there are instances in which people from adjacent British districts come to have child marriages celebrated in evasion of the Sarda Act. A lady member of the local Legislature has now secured permission to introduce the necessary legislation on the subject.

The women's cause is making rapid strides in Travancore. As I mentioned at the outset we have had in Kerala a continuity of culture. Men of light and leading in Travancore have recognised by deed as well as by word that the women's cause is men's and that they rise or fall together. The women of Travancore have made progress in several directions and yet here also we are face to face with many problems which are more or less common to the whole of India. Our system of education is materialistic in its tendency and has no tinge of any religious instruction which is essential for the training of useful citizens. Nor does this education provide sufficient opportunity or convenience to

our girls to acquire knowledge suited to their requirements. The kind of education they now receive throws all considerations of the home or family into the shade and merely makes them fit to knock at the doors of offices and institutions for employment. The fate of unemployed men is bad enough and that of unemployed women is threatening to become worse. The economic condition of the people and their low standard of living seem to defy all attempts at amelioration. Child marriage, the dowry system and the prohibition of widow re-marriage, though unknown among some communities in Travancore, are prevalent among others. Depressed classes remain depressed and communal squabbles persist in spite of our strenuous efforts to quell them. These are some of the problems staring us in the face here in Travancore as in other parts of India and we look forward to your assistance in tackling them. India is now passing through momentous constitutional changes and we see in the horizon glimmerings of an All-India Federation. But there must be a federation of hearts if political federation should ever become possible in spirit apart from names and forms.

This conference envisages a great future for our country. Local areas and sectional opinions are well represented in this imposing gathering. Women from far and near have come here in large numbers impelled by a high sense of duty. The same enthusiasm is seen among the rank and file as among those who take the lead in this mission of self-improvement. It is our good fortune that Her Highness Maharani Sethu Parvathi Bai who takes great interest in all movements to advance the cause of women has been graciously pleased to preside over this conference. Her Highness' extensive travels in India and in Europe have enriched Travancore and created in us visions of a richer larger and fuller national life. We are deeply grateful to Your Highness for the advice and guidance Your Highness has given us in holding the conference here.

#### The Presidential Address

Her Highness *Maharani Sethu Parvathi Bai* then delivered her presidential address. Her Highness said:

The immediate object of this Conference is to create a wider scope for the powers and responsibilities of Indian women and to emphasise the value of women's work in every well-ordered State. The methods of this Conference lie in persuading and justifying the goal of the Conference must be to create absolute equality of opportunities and position as between the two sexes in all branches of activity. With this feeling, and convinced as I am of the importance of this gathering I approach my task as President of this year's session of the All India Women's Conference with mixed feelings. The first, in which I am sure you will all share, is regret for the unavoidable absence of the original President Designate, Her Highness the Yuvarani of Mysore, whose absence we all feel very keenly, and not the less because she represents a State and a Royal House, which have been amongst the pioneers of women's education and uplift in our country. I am also acutely conscious of the magnitude of my task and its heavy responsibility. At the same time, I am very thankful to those who have, by inviting me to preside on this occasion, signalled their confidence in me—a confidence which I am sure is much less a personal tribute than a symbol of the recognition on your part of the position achieved and maintained by women in this land. This is the first Conference held in an Indian State and it cannot be desired that it is among States that the biggest efforts have been made to remove some of the social and legal disabilities of women.

The country of Kerala, of which Travancore is an important unit, has earned from our brothers across the gulf the name of "Penmalayalam" or "Women's Malayalam." The appellation is not a conventional compliment. Our laws and social customs based on the matriarchal system followed by us for millennia have given to women a conspicuous place in our polity. The woman is here recognised as the head of the family, and succession is traced through her. No restrictions on the holding and disposition of property and no inequalities regarding education, social life and cultural growth have hampered our sex. Not only has our history afforded instances of queens who have stamped their individuality on the chronicles of their country, but in the fine arts and philosophy, women have played a notable part. The equality of women with men in the matter of political as well as property rights is to-day an established fact. Co-education in primary institutions and in the higher classes and forms in many schools and colleges is a feature of Travancore, and girls and women have so fully taken advantage of the educational facilities that it has been found possible, without inter-

fering with the number of admissions, to levy full rates of fees from girl students in colleges and three-fourth rates in schools. There is practically one literate woman to every two illiterate males and women are now applying freely for admission to various services and other avenues of employment. They are also alive to their wider civic responsibilities as is shown by the circumstance that in co-operative societies, the number of women members is 28,000, a not inconsiderable proportion of the total strength. We are thus, in the main, unaffected by many problems which engross the attention of thoughtful and patriotic persons in other parts of India. We have abolished Devadasi service in our temples and such problems as the purdah, the conditions which have led to the passing of the Sarda Act and to the laws relating to the traffic in women are not present among us. It is therefore not perhaps inappropriate that a conference designed to co-ordinate the activities of women in various departments and to review and consolidate their status and position should hold its sitting in Travancore.

With the utmost pleasure I welcome in our midst representatives from all parts of India and many well known friends from abroad. Hospitality has been accounted the prominent trait of this country and I am proud to say that not only in the material sphere but in the realm of ideas, we have given and received freely. It is my hope and trust that on this occasion we shall be equal to our reputation and that you will retain pleasant memories of your sojourn amongst us.

It is a matter of profound gratification that the history of women's movement in India at least in its political aspect has been one of unbroken progress and has not been marked by those violent struggles which were the precursors of reform elsewhere. The Joint Parliamentary Committee in 1917 felt very nervous of interfering with what was conceived to be the invincible prejudice against the political enfranchisement of women and they left the question to the elected Legislatures of each Province to be settled by their own resolution according to the wishes of the people concerned. Owing to the devoted and strenuous labours of a number of eminent women, some of whom I see before me, and thanks also to the innate chivalry of our countrymen, which we must ungrudgingly recognise, practically every Province removed all political restrictions on account of sex, and even before England took the step in 1918 and 1919 of equalising the sexes in politics and in various professions, the battle had been won in India. Further, the admission of women into the legal and other professions was never attended with any difficulty here. To say this is, however, not to underestimate the magnitude and complexity of the work ahead of us. In practically every part of India except to some extent in Malabar, women still suffer under marked disabilities as to the holding and the disposal of property. Even though some of the old law givers were fairly liberal as to the position of Hindu women and in Bengal and Bombay their rights were safeguarded up to a point, later authorities and the growth of customs have seriously curtailed their rights. Old doctrines which originated in unsettled and warlike or nomadic times have persisted to the detriment of the peace of many families. It is interesting to remember that until quite recently in England it was impossible for a woman to hold property in her own right or to recover money from debtor or even to buy things for household use except as the implied agent of the husband. Fortunately these legal anomalies have found a place in the dust-heap of ideas. In India the right to inherit irrespective of sex and according to the nearness of natural relationship and the right of unfettered enjoyment and alienation of property have still to be recognised and the idea that a woman is only a trustee for distant kinsman or unborn children must become obsolete. Fortunately, in Malabar, we did not suffer from the medieval heresy that the woman was the source of all evil nor did we succumb to the doctrine lately resuscitated in Germany and Italy that her main or sole function was to be a mother. With regard to marriage amongst most of the communities in this part of India, equality, freedom of choice and adult marriage have been taken for granted, although quite recently there has arisen a curious tendency to adopt disabilities that are prevalent elsewhere. It is obvious that in the Vedic times, marriage was taken to be a voluntary sharing of a common life. The fear of what was called Varnasankara or the confusion of races, a fear which even now has re-asserted itself violently in such widely differing countries as Germany, South Africa and the United States was responsible for many changes in this system including child marriage, the purdah system and the perpetual tutelage of women. Notwithstanding the efforts of pioneers, like Pandit Iswar Chandra Vidyasagar, the prejudices of ages are dying very slowly and much work is necessary before a wise reconciliation of the old and new ideals takes place.

Closely connected with the topic of marriage is that of child widowhood. It must be admitted that, quite irrespective of the fundamental question of eugenics and without trespassing into the region of religion or revelation, there must be something radically wrong in a system which permits of child widows to the appalling extent of seven for every 10,000 between the ages of 1 and 5 and 45 for every 10,000 between the ages of 5 and 10. No scriptures can have sanctioned or encouraged such a state of things and one of the welcome signs of the times is that enlightened opinion both amongst Hindus and Mahomedans is declaring itself forcibly in favour of later marriages and of remarriage of widows, especially of child widows.

It is observable that though under the Mahomedan law the proprietary and marital relations of women are to some extent safeguarded, yet the seclusion of women has led to serious difficulties, which have to be surmounted and overcome. Indeed, in many regions, the strictness of purdah is regarded as proportionate to the status of the family, and much patient work is needed to eradicate such ideas.

This Conference which started nine years ago has now become the foremost representative body of the women in India and it has contributed in no small measure to the awakening which has surpassed the expectations of its founders. It has helped to arouse the social conscience in many matters relating to women and their advancement. One of its first items of business was to voice dissatisfaction with the present educational system and it was instrumental in starting the Education Fund, the proceeds of which have been utilised amongst other things, for establishing and maintaining the Lady Irwin College in Delhi, for home science, the training of teachers and psychological research. The Conference played an important part in the establishment of the claim of women to the franchise in British India. It has worked for the adequate education of future mothers, for medical inspection in schools and factories and for the removal of many social and legal disabilities. A glance at the summary of the important resolutions passed in previous sessions would prove that a well considered programme of rural reconstruction and educational civic training has been emphasised, and that the Conference has set before itself the important task of rousing public opinion as to enable all concerned to realise the mistake of segregation of women and of allowing immature girls to become wives and mothers. A great deal has been done though much has yet to be achieved in the matter of the amelioration of the lot of women labourers and the propagation of public health programmes, in which women are vitally interested.

In common with women elsewhere Indian women have been stirred by a new thought and a new life and the ideal of self reliance has been fast evolving amongst them, and it is a matter for sincere gratification that practically all the women's organisations in the country have taken a unanimous stand against communal and provincial differences and distinctions in the matter of the franchise and that this has been done at a time when such divergences are tending to be accentuated amongst men. In truth, it may be asserted that one of the biggest successes of the conference lies in the promotion of the ideal of unity of Indian women, and we can well claim that we have successfully fought against the communal and provincial outlook, which has been a disquieting feature of public life in India. The attitude of the women's associations and the resolutions passed by them cannot but strengthen the hands of those who seek to attain a complete understanding and the co-operation amongst the many races and communities of India. Our work lies mainly in the direction of the formation of public opinion.

The great upheaval produced by the late war revolutionised thought and made Europe and America realise the value of women's contribution to the national cause. Work had to be done and women had to do it and the principle of equal pay for equal work was comparative ineffectiveness and the innate timidity of women was undermined. The coolness and discipline of women in every branch of activity obtained their reward, so that one of the great opponents of the cause, Mr. Asquith speaking about Edith Cavell, declared in October 1915, "There are thousands of such women, but a year ago, we did not know it." By 1918, the political disabilities of women were removed in England and in 1919, their rights to hold public and professional positions pertaining to civil life came to be recognised. It is remarkable that as soon as these steps were taken, the Parliamentary atmosphere completely changed. Measures for which women's societies had been working unsuccessfully for years, such as the Nurses Registration Bill and an amended Midwives Bill were taken up as Government measures and passed through all their stages without difficulty. Women began to sit in Parliament and to occupy various responsible positions and in 1920 the Report of the Lambeth Conference stated the belief of the Conference



that the Anglican church would be strengthened by making freer use of the spiritual gifts of women. It took 70 years of ceaseless propaganda for America to amend its constitution by providing that the rights of the citizens of the United States shall not be denied or abridged on account of sex. It would, however, be correct to say that this great development for which groups of women had worked in many countries took place mainly because of national crisis on the issue of which the fates of nations depended. But it will be remembered that as soon as the women's claims were recognised, it was found that they were justified. Women very soon attained the highest learned and academical distinctions. The Presidency of the Botanical section of the British Association was awarded to a woman in 1918. In 1920, the gold medal of the Royal Geographical Society was bestowed upon a woman. The Parliamentary work of woman has been recognised to be of indubitable value. Women during the war and thereafter held responsible posts in the civil service of various countries. In the United States, there are 6,000 women physicians and 1,600 practising lawyers and amongst them assistant attorneys-general, provincial and central. 300 American cities employ Police women in duties relating to the welfare of women and children and they do probation work and the supervision of dance halls and places of entertainment and work in connection with the juvenile courts. In journalism and banking, they have played an important part. It was not many weeks ago that the award of the Noble Prize to Madame Joliot, the worthy daughter of a celebrated mother Madame Curie, demonstrated the capacities of women in the domain of recondite science.

In spite of all these advances, it still remains true that even in the West there are many directions in which women's progress is still limited. Fundamentally, the problem is not political or even social—it is economic. In the last resort, the solution of women's problems depends on securing for them, in marriage and out of it, economic independence. Freedom to work outside the home is one of the ideals which cannot be kept outside the range of discussion and decision as well as the recognition of her claims to economic partnership in the home.

Thus although the legal emancipation of women may have taken place in many countries, the full recognition and the securing of the individual position of women in domestic relationship are yet insecure because of the survival of the old doctrine of tutelage. It is a commonplace that woman's cause is man's and that men and women sink or swim together but experience has taught us that self help and organisation are the only methods to secure success as distinguished from mere reliance on generosity or patronage and this Conference exists for implementing such methods. This is its legitimate function and its *raison-d'être*. The clouds are lifting and the dawn is breaking, may it be given to us to see the sunrise!

#### Secretary's Report

The annual report of the Conference was then read by Mrs S C Mukherji, Honorary Organising Secretary, who pointed out that this was the first session held in an Indian State.

"Our Conference", she said, "has been given an opportunity to visit Indian States which are the true interpreters of our ancient culture, the custodians of our civilisations, the utmost shrines that guard and keep unswayed the spirit of real India. It is fitting that as a body of Indian women, our first welcome should be to the land of matriarchal sway whose delegates these many years have added to practical and intellectual advancement of the Conference. We are profoundly aware of the honour that has been accorded by this invitation to hold our tenth session in one of the most progressive States of India and offer particularly to its enlightened Maharani for her gracious sympathy and interest in our cause our sincerest tribute of thanks."

Mrs Mukherji said that the activities of the Conference now extended from Abbotabad to Assam on the one hand and from Kashmir to Cape Comorin on the other. It was striking to note a keen desire manifesting itself everywhere among women to take their legitimate share of responsibilities in the advancement of the country and this surely was a sign that it would not be long before some of their efforts were crowned with success. The representative nature of the Conference made it one of great strength. As such, it had great potentialities. She added "There can be no doubt that women's first duty is to her home. But it is only by a widening of mental outlook and expansion of civic activities that women are able to fulfil their obligations towards their home and be worthy mothers to the nation of noble sons and daughters. In so doing, let us not, however, deny the heritage of our past but let its noble traditions inspire of us, to work for greater and happier future."

Mrs. Mukherji added that the Conference was not a feminist institution, aggressively reiterating its rights. The sympathy and co-operation of men had been undeniably one of their great assets.

Mrs. Mukherji then referred to the work done during the year under different heads. They were glad to note that permission had been given to Mr. B. Das to introduce a bill in the Indian Legislative Assembly to amend the Sarda Act on lines suggested by the Conference. The Travancore durbar also had given permission for the introduction of a similar bill. The Conference had given wholehearted support to all bills introduced in provincial and central legislatures which sought to remove the legal disabilities of women. A scheme had been prepared by the Rural Reconstruction Sub Committee to initiate rural reconstruction work and it had been circulated to all constituencies.

Mrs. Mukherji next examined the work done under (1) compulsory medical examination, (2) compulsory primary education, (3) hostels for students, (4) child marriage restraint Act, (5) legal disabilities of women, (6) labour, (7) rural reconstruction, (8) Harijan work, (9) indigenous industries, (10) temperance, (11) traffic in women and children, (12) child welfare and other works done during the year.

Regarding birth control, the annual report said: "The Conference in its anxiety to relieve the suffering of women and to prevent the increasing rate of maternal and infant mortality will leave no problem untouched, however controversial it may be. Low physique and high death-rate caused by early marriage and early motherhood and inadequate provision for welfare work have been a cause of anxiety to all those who were interested in the welfare of the country. That explains our interest in the problem of birth control in India. Mrs. Howe Martyn's presence in India last winter had been of immense help in creating a scientific outlook on the subject. Group and public meetings were held in various constituencies, explaining how the appalling conditions in India can be changed and a higher standard of living assured by a scientific public health policy."

Relating to franchise the report said: "Our repeated demands representations and statements met with but little success. We are glad, however, that literacy qualification is recognised and that women are allotted seats in the federal legislatures."

The report referred to the protest made against wifehood qualifications, indirect election and reservation of seats, etc. as well as the statement passed in Poona in July last recording deep disappointment that our united demands had not been accepted and added: "We are also requesting the British Parliament to safeguard the interest of women by making a provision in the Instruments of Instruction to give women a chance in the administration of every province as well as in the Central Government specially in departments of Health, Education and Labour."

#### DETAILS OF PROCEEDINGS

The proceedings commenced with the singing of songs specially composed by Srimathi Parur Ponnamma. Proposing Her Highness the Maharani to the chair, Mrs. Rustomji Faridoomji observed that the Conference considered it lucky on its tenth birthday to have a lady of Maharani Setu Parvathi Bai's culture, enlightenment and intellect to preside over the session. Her Highness was known throughout India as one of the most cultured and enlightened daughters of Mother India. Travancore and South India formed the woman's empire with matriarchal sway where the condition of women was far better than any other part of India.

Continuing she said that women in the south were intelligent and cultured, modest in habits of life and self-sacrificing. It was a great hope and lesson for women of other parts of India and they would follow the example of these women who had enjoyed their rights for centuries together. She then requested Her Highness to take the chair.

Mrs. Ammu Swamaseetham, seconding the proposal, said that it was keeping with the traditions of Kerala that the first Indian State to invite the Conference to hold its session was Travancore which along with other parts of Kerala had held women in such honour. Travancore was lucky in having such an enlightened and cultured leader. The Maharani had taken interest in the affairs not only of Travancore but also abiding interest in the welfare and advancement of India. Women of India were proud of her leadership and they were very fortunate in having such a woman amongst them and they were sure that the Maharani would be an inspiration to them all. Her Highness then took the chair.

Mrs. Mukherji extended cordial welcome to the special visitors to the Conference, namely, Miss Solomon, Miss Maribel Lester, from England and Mrs. Margaret Sanger

from the United States and said that they were world famous personalities. The presence of such splendid, sincere and indefatigable workers would prove a fresh inspiration to their own, who had all each in her own way contributed to the success of the Conference.

Dealing with the question of affiliation to the International Alliance of Women for Suffrage and Equal Citizenship the report stated, the Conference was affiliated and Begum Hamid Ali attended the Conference.

The affiliation gave an opportunity to send delegates to the International Alliance Congress held at Istanbul this year. The Conference had always upheld the ideal of international co-operation and friendship as an indispensable factor in the ultimate unity of women in the service of humanity.

Messages of greetings and wishes from women's organisations were read by the distinguished visitors from abroad. Miss Solomon, liaison officer between the All India Women's Conference and British Women's Association, conveyed the greetings of the British Commonwealth League and South African League, women's voters and other associations. She said that the Conference met at a time when women in India were entering on a new era. The India Bill had been passed. Although the new constitution had caused a keen disappointment she felt confident that they would make the best use of the powers granted to them, thus contributing their best to humanity.

Miss Muriel Lester who was loudly cheered, conveyed the greetings of the people of East London where she had the honour of welcoming Mahatma Gandhi. She said she was in Japan and China for seventeen months and that women there had become leaders of their country. She conveyed the greetings of women of these countries to the Conference.

Mrs Margaret Sanger who was accorded a rousing ovation, said she was an American woman coming to India in a spirit of atonement, to learn from Indian leaders their highest dreams and aspirations so that she might undo the mischief created by misleading and false impressions written about India by an American woman. She felt that this was the first step in undoing the spiritual wrong. As the representative of birth-control movement, started 21 years ago, she would say that after this long time, they had reduced infantile and maternal mortality and raised the standard of life and general intelligence. The movement worked through seven thousand organisations comprising eleven million people from all walks of life. As the President of the international Birth-Control Association and on behalf of 26 international groups, she conveyed greetings to the Conference of Indian women and wished success in their efforts for securing social, political, economic and biological emancipation and emergence as joyful and healthy mothers of to-morrow.

#### SIR C. P. RAMASWAMI IYER'S ADDRESS

In accordance with the convention of conference of men speaking at the opening session, Sir C. P. Ramaswami Iyer addressed the gathering. He said that the superiority of one sex and subordination of the other was inappropriate at present. He pointed out that the main task before them in India was the elimination of age-long disabilities inherited through petrified custom of centuries. The 'Mitakshara' came in the wake of the reform of rights of women 1700 or 1800 years ago, but there was a twist in the interpretation of women's rights and the Dayabhaga school was an indigenous attempt in securing legal rights for women. But the reform of Hindu law came to a stop 150 years ago as English judges were afraid to wound the religious prejudices and they had all along the support of Privy Council. Thus the spontaneous movement of reform was arrested and though Hindu women had rights, fetters were put on them in various ways and rights of inheritance, disposition and alienation were denied except in some parts of India. As regards rights of maintenance, guardianship of children and economic status, the position of Hindu women was different to-day from what it was in the earliest days of recorded history. Under Mahomedan law women had adequate rights from the Prophet but the purdah system had nullified the rights of women. These disabilities had to be got rid of through the comradeship of men and co-operation between women and legislators. He then referred to the gradual recognition of women's rights in England and opined that nowhere in the world women's legal rights were complete. For instance, the right of determining the spiritual education of the child was still undecided. Equalisation of women's rights was difficult and had taken generations of endeavour and resulted even in physical conflict. Fortunately, these preliminaries were unnecessary in India and men did not need such rude reminders as men elsewhere. They had co-operated with

women in winning their rights and he hoped that this peaceful co-operation between men and women would continue and working together they would achieve the goal for which all patriotic people were striving.

Mrs. *Hansa Mehta* then proposed a vote of thanks and the conference adjourned.

### Second Day's Proceedings—Trivandrum—30th December 1935

The Second day's sitting of the Conference was held this morning *Makaran Sanku Parvathi Bai* of Travancore presiding. The meeting commenced with silent prayers for two minutes.

Mrs. *Mukherji* read messages sent to the Conference wishing success and regretting inability to attend the Conference received from Mrs. Sarojini Naidu, Mrs. Muthulakshmi Reddi, Rajkumari Amrit Kaur, Mrs. Brijlal Nehru, the Rani of Sangli Begum Hamid Ali, the Rani of Mandi, Maude Royden, Corbett Ashby, Lady Mirza Ismail, Miss Agatha Harrison, Mrs. Pethwick Lawrence, the National Council of Women, National Y. W. O. A., Women's International Leagues and Oxford Group.

Mrs. *Faridoomy* paid a tribute to the work of Mrs. Rav of the Social Section who had gone abroad to popularise the work of the Conference and win the support of various women's associations there.

Reports of various sections and sub-committees were read and adopted. The Social Section report mentioned the establishment of birth control clinics in Bombay. A delegate questioned the existence of such clinic. It was explained that the mention of Bombay was a mistake. Mrs. *Hansa Mehta* stated that a committee had been appointed by the Bombay Municipal Corporation to enquire into the feasibility of establishing clinics.

Mrs. *Cousins* then presented the financial statement which was adopted. Emphasis was laid on the influence of contact with the outside world.

Mrs. *Hansa Mehta*, in her report on indigenous industries, suggested the classification of industries and also economic surveys by constituencies.

When the Labour Section report by Mrs. *Chatterjee* was read Bombay delegates opined that too much space was occupied by work in mining areas. It was explained that the convenor had not received a reply to the queries and that important work carried out in mining areas had to be mentioned.

Reports of works of the various constituencies were then read. There were loud cheers when the reports relating to Orissa and Travancore were read.

The Conference adjourned to meet again in the afternoon.

### Afternoon Session

#### COMMON LANGUAGE FOR INDIA

Miss *Justin* (Delhi) moved the first resolution recognising the urgent need of a common language for India and appointing a sub-committee to report on the means and methods that could be adopted for the realisation of this ideal to compile a comprehensive vocabulary of words commonly used in India in the order of frequency of use and to co-operate with other associations engaged in similar work.

Miss *Justin*, in commenting the resolution observed that a common language was essential and every step of advancement was hindered by slogans which were not necessarily true. She suggested that a vocabulary of 50 to 100 words of common use in principal languages could be picked out so that everyone could easily learn and understand.

Mrs. *Asaf Ali* (Delhi), seconding observed that a common medium was essential to enable them to realise their dreams and aspirations. In the past, they were isolated and now that they had come in contact, they had discovered many things common in various religions and sects. Without imperilling the cultural heritage of any language, they could evolve a common language and she suggested the utilisation of radio and cinema for popularisation of classical but simple Hindi and she opined that it was not too much to ask every Indian to learn a common language.

Mrs. *Kutten Nasr* (Cochin), supporting the resolution, observed that English could not be the language of the masses. After the Section Secretary had explained the scheme, the resolution was unanimously passed.

#### REMOVAL OF ILLITERACY

Miss *Laxman* (Mysore) moved a resolution reiterating its former resolutions deploring the appalling illiteracy in the land and believing that unless a concerted and in-

tensive campaign was organised, moral and material progress of the land was bound to be hampered and appointing a sub-committee to study the question in all its bearings, to keep in touch and co-operate with all works in promoting literacy amongst adults, to initiate practical schemes of work and report on the work done, to the next Conference.

Miss Lazarus deplored the low percentage of literacy in India and congratulated the women of Travancore and Cochin on their high percentage. She wanted every member of the constituency to take upon herself the task of making one individual at least literate. Regarding compulsion introduced in Madras for Mussalmans, she exhorted the members to see that the scheme of compulsion in every province included girls also.

A third scheme, she would suggest, was an enquiry into the expenditure on University education and for primary education to urge for the reduction of expenditure on University education and for diversion of funds to primary education. She described the various efforts made in Mysore.

*Srimathi Anandavalliamma* and *Mrs P. Thampillas*, supporting the resolution, wanted Travancore to reach higher percentage of literacy and effectively to prevent lapses into illiteracy.

*Mrs. Ali Akbar*, quoting the examples of Russia and Turkey wanted effective popular methods to be adopted.

*Miss Pam Owen* spoke of the phonetic method which was adopted in the Philippines and said that charts were prepared for Hindi and Tamil and that that method was successfully tried in the Central Provinces.

*Dr. Sukthankar* (Bombay) narrated the experience of the Bombay Corporation and said that despite an expenditure of Rs. 32 lakhs, the results were not promising. She suggested a simplified curriculum and part time work on the part of primary school teachers for adult education.

*Srimathi Rukminiamma* (Mysore) gave an account of work done in Mysore.

*Mrs. Ray* suggested newspapers being utilised for adult education.

The resolution was further supported by *Mrs. Barda* (Bombay) and *Mrs. Malhe* (Ondh).

#### HEALTH OF SCHOOL CHILDREN

The last resolution emphatically expressing the opinion that the health of children and specially school children and college students was of vital importance to the well-being of the country and therefore considering it essential that matters connected with school hygiene and sanitation, medical inspection of school children, school clinics and care committees, health education in schools, physical culture, adult classes for study, child welfare and child hygiene and dietetics with special reference to children's food should receive special attention and appointing a sub-committee to study the questions and report was moved by *Miss Cooke*.

*Miss Muriel Lester* suggested the formation of nursery schools which would enable them to shape the future careers of children which would secure and safeguard their well-being. The resolution was passed unanimously.

*Mrs. Faridoonji* read a message of greetings from *Mrs. Thurman* of the Negro Delegation to the Conference.

The Conference passed a resolution of condolence on the death of *Mr. G. K. Devadhar*, all standing. The Conference then adjourned.

### Third Day's Proceedings—Trivandrum—31st. December 1935

#### DEMAND FOR HOSTELS FOR GIRLS

At the third day's sitting of the Conference to-day, a resolution was passed by an overwhelming majority urging the need for the introduction of methods of birth-control through recognised clinics. *Mrs. Rastomji Faridoonji* presided.

*Mrs. Monim* (Calcutta) moved a resolution urging the Government and Universities to take steps for the establishment of properly supervised hostels for women students.

Speaking of conditions in Calcutta she said that out of 30 hostels, only five were worth the name. Girl students entered the University at the age of sixteen and they were without parental or tutorial guidance. A high standard of character was essential without which there would be a serious set-back to the cause of higher education. She appealed to Universities and colleges to exercise due control and establish suitable hostels.

*Miss Wylie* (Travancore) seconding, spoke from her experience of 28 years as Principal of the Women's College and observed that the new freedom of women was different

from old freedom. Though women in Travancore had no legal disabilities, domestic life did not provide for social life and therefore there was a leap from domestic life to public life without the gap being bridged by social life. She wanted educated women to have a knowledge of social conventions which could only be had through hostel life. Thus hostel life must be expanded and brought into line with hostels in the west inducing universal life. The Bombay delegate supported the resolution which was carried unanimously.

Mrs. *Hansa Mehta* then moved a resolution welcoming the united efforts of leading educationalists to create a new attitude towards educational problems in this country and urging that in the ultimate emergence of the reorganisation scheme, particular stress be laid on the need for vocational institutions.

She said there was a hue and cry against the present system of education which was too academic in nature. Students not fit for University education flocked there and in order to improve vocational training should start in secondary schools.

Mrs. *K. Bharadamma* (Travancore), seconding the resolution, said that fundamentally the education system in India had not changed during the last century and it failed to satisfy the present day needs. Educated unemployment had become a menace to domestic and social life and therefore education must be planned for securing economic independence for them.

Mrs. *Tarkande* (Central Provinces) pleaded for the introduction of vocational education in primary schools.

The resolution was strongly supported by Mrs. *Gokhale* (Sangli), Miss *Esvaramma* (Travancore), Dr. Miss *Mistry* (Bombay), Mrs. *Dondekar* and Mrs. *Roy*.

Miss *Reuben* gave an account of the scheme tried in Agra and Miss *Cooks* spoke in support of the resolution which was carried.

A resolution expressing the opinion that girls should be included in all schemes of compulsory primary education and particularly supporting the resolution of the Madras constituency that in the terms of reference to the Committee to be formed by the Madras Government to consider schemes of compulsory primary education for boys, not only schemes for boys as provided at present but also for girls should be included, was moved from the chair and carried.

#### BIRTH CONTROL CLINICS

Resolutions dealing with social matters were then taken up. The first resolution reiterated the Conference's former resolutions supporting the necessity for introduction of methods of birth control through recognised clinics and called upon all constituencies to make special effort to induce municipalities and other organisations for maternity and child welfare to open centres to impart such knowledge to those who stand in need of it.

The press was requested to leave the hall. When delegates raised an objection, the proposition allowing the press to remain was put and lost by an overwhelming majority.

The resolution was moved by Mrs. *Anna Chandy* (Travancore). She said that the Travancore constituency had passed a resolution that the clinics were undesirable as very little was known about clinics. All were agreed as to the necessity for control of births and there was difference of opinion regarding the means. Mr. Gandhi and other religious leaders advocated continence, but many felt that this was impossible for ordinary people. She discussed the opposition view and stated that clinics could refuse information to unmarried women if it was thought that it would spread immorality among unmarried women. Travancoreans had more confidence in the morality of their unmarried women and, in the larger interests of the nation, benefits of the system must be availed of. It was not as harmful as yearly births.

Mrs. *S. N. Ray* (Bengal), seconding the resolution, stressed the fact that the question was not whether to impart this knowledge or that as it was being diffused widely through newspapers and advertisements, but it was to decide whether scientific knowledge was to be imparted or to allow harmful results on account of ignorance of methods. Birth-spacing was not birth prevention.

Miss *D. H. Watts* (Travancore), opposing, said India was on the threshold of new life and to start extreme measures would be harmful to the country and the State. The Conference was nine years old and had plenty of work to do. The stability and existence of the Conference should not be risked by extreme steps. None was against the word "birth control." But they were opposed to the word as it was used at present. Brahmins of ancient India had small families, but they did not use artificial means. If the system was good, why was there so much propaganda?

Spiritual strength was acquired by self-control and not indulgence. National discipline was impossible with self-indulgence.

Mrs. Lakshmi N Menon (Lucknow) answered the objections raised by Miss Watts and said that there was no hope of improving the lives of people if the population was not limited. Control did not mean prevention. Continence was impossible for the masses. All good causes needed propaganda. They wanted a healthy race which can provide for its children.

Mrs. Rosemeyer (Travancore), opposing, said that contraception was used as a method to escape control. President Roosevelt had called it racial suicide.

Dr. Sukthanker (Bombay) said that the resolution was innocent and it wanted only centres opened for those who needed it. The Bombay Municipality had failed to pass a resolution for the establishment of clinics. But men were responsible for this and women suffered. She pleaded for a rationalistic consideration of the matter.

Mrs. Damodaram (Madras) said she would go even as far as to say that even if unmarried girls adopted these methods, they were better than the methods at present in use. Children were God's gifts and how could they be properly received if they were born every year?

Mrs. Kuttien Nair (Cochin), supporting the motion, emphasised that birth control was next to self-control. Was it morality to bring forth weaklings? Religious leaders must have courage to protest against Mussolini who wanted large families as fodder for cannons and not against a method of saving mothers.

Miss Mistry (Bombay) pleaded for moderation and said that medical opinion was in favour of giving advice to those in real need on medical grounds.

Miss Overtirk, opposing, quoted statistics to show that the rate of increase of population was 19 per cent while the rate of increase of agricultural productivity was 29 per cent and industrial productivity 189 per cent. So there was no ground to show that population outstripped production. The danger was suicide of the race and birth control was not accepted by the whole of the civilised world. She pleaded for adopting Indian methods.

Mrs. P. Thammu Pillai (Travancore) opined that it would lead to immorality.

Mrs. Kale (Nagpur) quoting Sir M. Visweswaraya pleaded for birth-control.

Dr. Ratnamma Isaac (Mysore) narrated her experience of clinics in Bangalore and said information was given to all who came into maternity wards.

Miss Gomez (Travancore) disapproved of birth control.

Mrs. Chervyan (Travancore) wanted that the standard of life of the masses should be raised.

Mrs. Sanger congratulated the conference on the atmosphere of the discussion. She would ask how many children the opposers had. Most of them had none. She was the mother of eleven children and a trained nurse and had worked for 21 years for birth control. Mrs. Sanger observed that those who opposed the resolution mostly represented the Christian religion and brought forward the argument of immorality. Christianity had been in existence for over two thousand years and had almost complete power in the world. If, after all that, they could not trust women with knowledge, then that teaching had failed. In one clinic with over 50,000 attending, less than one per cent were unmarried. It was quite possible to check those who came to clinics.

Continuing, she observed that in India the population had increased faster than in any other country. Where there was widespread misery and lack of food, there was overpopulation. To prevent the infant mortality, three factors had to be considered, namely, father's wages, spacing of family and the place of the child in the family. In India out of first-born children, 22 per cent died, of the fourth-born, 23 per cent, of the seventh-born 33 per cent, the tenth 41.3 per cent, of the eleventh 51.4 per cent, and of the twelfth 59.7 per cent. The birth and death rates were highest in India. While the average longevity was increasing in European countries, it was decreasing in India.

Proceeding, Mrs. Sanger pointed out that birth-control had reduced infant and maternal mortality and that continence could not be imposed on those who were not ready for it. She read the following quotation from a book published with the approval of the Roman Catholic Church. "First of all, we have the right to expect that married lives of many couples will be vastly enriched with values, physical, psychic, and moral, of married life as it was intended by the Creator. Burdens that test human endurance to the utmost limit and to which all too many succumb will be lightened. I speak of burdens of poverty, inadequate income, of unemployment which

makes it impossible for parents to give their children and themselves food, clothing, housing, education and recreation which they are entitled to as children of God. I speak of psychological burdens, burdens of depleted physical energy and exhausted vitality, resulting from previous birth or miscarriage, burden of adverse conditions of the heart, kidneys or other organs and other conditions that threaten the life of the mother in case of pregnancy. I refer to psychic burdens of uncontrollable fear, anxiety and irritability, of rebellion against God and His Church for seeming to make demands beyond human powers to endure." The name of the book was "Rhythm babies when parents are ready" by Lee J. Latiz.

The resolution was put to vote and carried by 82 to 25 votes. The conference then adjourned.

### Fourth Day's Proceedings—Trivandrum—1st January 1936

#### VIOLATION OF SARDA ACT

Mrs. *Tarkunde* moved to-day that the conference viewed with dismay the frequent violation of the Sarda Act. It called upon the constituencies to educate public opinion against the custom for child marriage by holding public meetings, by distributing leaflets containing information about the existing legislation and the necessity for drastic measures and effective amendments to the Act, by supporting Bills in Legislatures for amending the Sarda Act, &c. Mr. B. Das's Bill before the Legislative Assembly and the Bill before the Travancore Assembly.

The mover observed that Mr. *Harbilas Sarda* had laid them under a deep debt of gratitude but the Act contained some defects which nullified the effects of the measure. She suggested the necessary amendments to the Act and appealed to the Indian States to enact similar measures.

Mrs. *Rays* (Bombay) and Mrs. *Chandy* (Travancore) supported the resolution, suggesting stringent measures against the offenders of the Act.

Mrs. *Lazarus* (Mysore) explained the situation in Mysore and said that women were agitating for the introduction of a law on the model of the Sarda Act, but in the absence of women in the Legislative Council, it had been thrown out. She hoped that by next year they would be able to have the law enacted.

The Sind delegate moved the addition of a clause to the resolution, appealing to Indian States to introduce similar measures to prevent and prohibit early marriages as early as possible. This was accepted.

Mrs. *Narayanasamma* (Travancore), Mrs. *Lakshmi N. Menon* (Lucknow) and Mrs. *Chandu* (Sind) supported the resolution which was carried.

#### OTHER RESOLUTIONS

The Conference also passed resolutions congratulating the Bombay Legislative Council on its having rejected Mr. Desai's Adoption Bill and urging the early enactment of a legislation penalising the practice of polygamy.

The Conference recommended to the Special Committee to draw up a rational system of marriage laws which would include divorce laws. This resolution was supported by Mrs. *Lay* (Bengal), Mrs. *Kamalamma* (Andhra), Mrs. *Tharu Pillai* (Travancore), Mrs. *E. V. Mathews* (Travancore), Mrs. *Kamalam* (Malabar), and Mrs. *Hansa Matha*.

#### RURAL RECONSTRUCTION

A resolution on Rural Reconstruction was then moved and discussion had not concluded when the conference adjourned. The resolution urged every constituency to carry out a constructive programme of village reconstruction in one of its villages at least during the year. "The industrial development of the country, stated the resolution, "is an essential factor in relieving the great problem of unemployment. It is necessary for the Government and the people to help in every way indigenous industries in the country. With this end in view, the Conference urges women in India to encourage Swadeshi, by using articles made in the country as far as possible." Begam *Rahmatunnissa*, Mrs. *Cousins*, Mrs. *Ammu Swaminathan* and Mrs. *Hansa Matha* spoke on the resolution.

#### FRANCHISE FOR WOMEN

Dr. (Mrs.) *Sukthankar* (Bombay) moved the following resolution on franchise for women under the Government of India Act, 1935 --



"The Conference reiterates its disapproval of the following franchise qualifications for women provided under the Government of India Act and urges their modification in accordance with its previous memorandum, at an early date.

- (a) Wifehood qualifications,
- (b) Application condition."

The mover pointed out that women had not taken sufficient interest in the matter. She strongly objected to the wifehood qualification. Women's right to vote in their own right had to be recognised and they should not vote as the wife of so and so. The way to escape from this position was by voting as literate voters.

She explained the application condition, which insisted on women applying for registration as voters with the necessary certificate. This meant that the name of the voter would not appear in the electoral lists automatically but women had to apply for it. She observed that the idea behind this was that woman's place was in the home. She lamented the great apathy of women towards the question and pleaded for educating public opinion.

Mrs. S. C. Mukherjee, seconding the resolution, observed that it was against the self respect of women to vote merely as wives. The resolution was carried.

#### DEMAND FOR DIRECT ELECTION

Mrs. Asaf Ali moved the second resolution, which ran

"In recording once again its sense of disappointment at the electoral proposals, this Conference continues to stand by its former demands for direct election, no separate electorates for women and non-reservation of seats on a communal basis.

"It further notes with regret the discrimination made between different provinces as regards the literacy qualification, e.g., Bengal, N. W. F. P. and Orissa."

In moving the resolution, Mrs. Asaf Ali explained that now the election to the Legislative Assembly was direct but under the new Constitution it would be indirect and from the Provincial Councils. There was direct election by men to the Council of State, but not by women.

She observed that communal electorates were provided for men, which was deplorable. Communal electorates had created havoc among men, and when this crept in among women, their united stand would disappear. She read a long statement issued by the Women's Indian Association on the matter.

The new constitution had to be worked, however unsatisfactory it might be, and therefore they had a great deal of work to do. She narrated her personal experience at the last elections and observed that the ignorance of women about franchise was appalling. She pleaded for educating women in regard to the right to vote.

Miss Bose (Bengal), seconding the resolution, condemned indirect election and communal electorates. The resolution was carried.

#### WOMEN AND THE REFORMED CONSTITUTION

Mrs. Doctor (Bombay) moved the following resolution: "While we are convinced that the new powers given to women by the Government of India Act are not adequate this Conference exhorts all women to take the fullest advantage of such powers as they have obtained."

Mrs. Constance, seconding the resolution, said that almost twenty years of work for securing this right has reached its climax. She pleaded that men and women should be treated alike.

Under the new Constitution 55 women must be in the Councils all over India. The different political parties would no doubt be working, but they had to work for themselves in the matter of enrolment of voters. This was a spiritual responsibility and they had to undertake it. She suggested methods of work in the matter.

She said that the constitution encouraged terrible communalism. She lamented that she could vote only for a European and not for her Indian sister or brother. This they might be able to eliminate after agitation. The resolution was carried.

#### MRS. SANGER THANKED

Mrs. S. N. Roy proposed a vote of thanks to Mrs. Sanger and paid a tribute to her work in the cause of emancipation of women. Mrs. Roy said that Mrs. Sanger's presence at the Conference was a great inspiration to the members.

Mrs. Sanger said that she deeply appreciated the welcome and the tribute paid to her and was glad that the Conference had endorsed the principles of birth-control.

The Conference then adjourned.

### Fifth Day's Proceedings—Trivandrum—2nd January 1936

#### CHILD LABOUR IN SHOPS

The final session of the Conference was held this morning. A Japanese visitor, *Dr Kora*, attended the Conference to-day. *Mrs. Rayi* (Bombay) moved the following resolution on child labour and hours of work —

"This Conference whole-heartedly supports Mr Bakhale's Bill introduced in the Bombay Legislative Council to prohibit employment of children under 13 in shops and urges that all-India legislation on similar lines limiting the hours of work and fixing the minimum age of children in non-industrial undertakings be introduced."

The mover spoke on conditions of work in Bombay, where boys were employed in restaurants and hotels without any regulated hours or wages.

*Mrs. Jinarajadasa* (Madras), seconding the resolution spoke of the miserable conditions of work and the life of boys working in beedi factories. Boys under 13 were employed in these factories under unhealthy conditions and boys were veritable little slaves.

*Miss Copeland* and *Miss Van Owen* supported the resolution, which was carried unanimously.

The *President* then announced the results of the election. *Mrs. Mukherjee*, Chairwoman, *Mrs. Ammu Swaminathan*, Honorary Organising Secretary, *Mrs. G. J. Bahadury*, Treasurer (uncontested), *Miss Reuben*, Secretary of the Education Section (uncontested), *Mrs. Doctor* (Bombay) was elected Secretary of the Social Section (uncontested). The following were elected Vice Presidents for 1936 — *Rani Lakshmbai Rajawade*, *Mrs. Hansa Mehta*, *Rajkumari Amrit Kaur*, *Mrs. Hamid Ali*, *Mrs. M. E. Cousins* and *Mrs. Kunjan Pillai*.

Bringing the Conference to a close Her Highness the *Maharani* made the following speech —

"We have now come to the end of our labours and looking back on this week of discussion, we may well claim that remarkable unanimity of thought and programme has manifested itself. As in the past conferences so in this, we have debated and passed resolutions regarding most of the urgent problems that confront us. The fashioning of a United India through the medium of a common language, the creation of an effective womanhood by means of reorganised education, physical, mental and vocational, the removal of the legal and social obstacles that detract from our status and hamper the growth of personality, and the formation of a policy designed to re-suscitate rural life have occupied our attention. As to the methods of reconstruction we have made practical suggestions to ensure diffusion of information so that the use of indigenous manufactures may be actively encouraged. We have also dealt with questions of wider import like the position of woman in the world of labour and finally we have emphasised the paramount need of co-operation between women of the East and the West and of that peace and world harmony without which no advance is possible. Differences of opinion have arisen on very few topics like birth-control but I venture to hope that such divergences of view, which are inevitable in an All India organisation like ours, will not weaken our cause, but will call forth tolerance of other points of view and of a recognition that the methods may differ but the end is the same. We have expressed our views on the political position accorded to women under the new constitution and while we have reiterated our demand for fair play and our disapproval of separate electorates, we have affirmed our determination to make the most of what has been obtained."

"Useful as all this work has been, the value of the Conference consists as much in the establishment of contacts between women from all parts of India and the revelation of their oneness of ultimate purpose based on the fundamental unity of our heritage, members of this conference have not only met for work but also in many social gatherings and I trust our guests have seen something of the country of which we are very proud and found that our welcome has been warm, whatever may have been our shortcomings in expressing it in terms of convenience and comfort. This conference has literally assembled women from the Himalayas to Cape Comorin. May it not be regarded as a symbol and precursor of the outer and inner union of India? It is with that thought and that aspiration that I conclude this Conference and bid you all good-bye while thanking you for that mutual co-operation and spirit of give and take, without which the success of this gathering would have been impossible."

"*Mrs. Mukherjee* has spared herself no pains to ensure the success of this Conference. She came here in advance and much spare work had fallen to her. To the

indefatigable Chairwoman of the Reception Committee and Miss Watts and their colleagues, whose untiring exertions are well-known to Mrs. Paridonji whose service and guidance have been of inestimable value and to the members of the Standing Committee, our debt and personal thankfulness must be acknowledged with gratitude.

With a vote of thanks proposed by Mrs. Mukherji, the greetings conveyed by the Japanese delegate and the felicitous replies of Miss Muriel Lester, Miss Solomon and Mrs. Hindukoper, the tenth session of the Conference came to a close.

## Simla Women's Conference

The annual autumn meeting of the Simla constituency of the All-India Women's Conference was held on the 21st. September 1935 at the Arya Samaj Hall, Simla. Begum Shah Nawaz presided. There was a good gathering of over 500 women, comprising of all castes and creeds. It was noteworthy that a greater proportion of them were from the city. Mrs. Kasturibhai Gandhi also attended the conference and was given a rousing welcome.

Rajkumari Amrit Kaur welcomed those present and introduced Begum Shah Nawaz who then delivered her address. She rejoiced at the progress made by the All India Women's Conference during the ten years of its existence, and perhaps much more was to be accomplished. She laid special stress on the unity among the womanhood of India in all matters pertaining to their and their children's welfare, and believed that this spirit of unity would be the salvation of India. She gave an interesting account of her recent labours in Geneva and told the audience of the wonderful work the women all over the European world and America were doing. The Begum Sahiba emphasized the importance of Indian women taking their rightful place in this international labour of love.

The conference passed a number of important resolutions. The resolution moved from the chair stated "This conference lends its whole-hearted support once more to the Bill for the Suppression of Immoral Traffic in Women and Children now before the Punjab Legislature, and was unanimously adopted."

The conference expressed its profound disapproval of the methods of enfranchisement election and representation relating to women in the new constitution as being against what the organized women of India have stood for from the very beginning. The conference also requested the British Parliament to safeguard the interests of women by making provision in the Instrument of Instructions that are to be framed for the Governor-General and Governors, that women should be given chances of association in the administration of every province as well as the Central Government, especially in the departments of Education, Health and Labour. Provision should also be made for at least one woman to be appointed to each provincial Public Service Commission.

It was resolved to forward copy of this resolution to the Viceroy and the Secretary of State.

The conference expressed its approval of the principles underlying the following Bills before the Legislative Assembly: (1) The Bill to validate marriages between different castes of Hindus; (2) the Bill to amend Hindu Law governing Hindu women's right to Property; (3) the Bill to make provision for the application of the Moslem Personal Law (Shariat) to Moslems in British India, and (4) the Bill to amend the Child Marriage Restraint Act in respect of marriages in Indian States.

The conference resolved to appeal to the public for funds to organize a central office at Delhi with a paid staff, which was recommended by the Standing Committee at its meeting in Poona.

In order to ensure better physio, perfect health and beauty of the coming generation the conference adopted a resolution for carrying out systematic lectures on food values whenever and wherever possible and in particular of women.

Finally the conference called upon everybody, in particular women, to buy as far as possible only Indian made goods for personal and house-hold use. It made a special appeal for use of khadi, because the greater the sale of khadi, the greater the economic help rendered to the poor villagers.

# The Madras Women's Conference

"The highest benediction I can give you at your Conference is that you may yourself, of your own action, vision, strength, wisdom and courage, expedite the day when women's organisations in India will go grandly to their resting place, because Indian women will have once again resumed the great and noble destiny of being the half of the nation and the half that leads the vanguard of progressive measures of life", said Mrs. Sarojini Naidu, opening the tenth session of the Madras constituency of the All-India Women's Conference held at the National Girls' High School, Madras on the 19th October 1935

There was a large gathering of ladies of different communities and Mrs. Margaret E. Cousins presided over the session.

After prayer by Srimati G. Visalakshmi Ammal, Mrs. Alamelu Jayarama Aiyar, Chairwoman of the Reception Committee, extended a hearty welcome to all the delegates and visitors to the Conference.

Mrs. Mathalakshmi Reddi then proposed Mrs. Margaret E. Cousins to the chair. Mrs. Cousins, she said, had been in their midst all these years and it was she who had laid the foundation of many organisations working for women's uplift in the country. It was a source of great pleasure to them, she said, to have in their midst Mrs. Sarojini, "the poet, orator, patriot and more than all, the politician," She requested Mrs. Sarojini to declare the Conference open.

## Mrs. Naidu's Opening Speech

Mrs. Sarojini Naidu, in the course of her speech, exhorted the women of India to shed their inferiority complex and take their rightful place in the life of the nation so that the need for such conferences and women's organisations would no longer exist. She had, she said, made a concession in favour of her own sex in consenting to address them on the occasion, for she had made it a rule before coming to Madras not to make any speech. But it seemed that the student population had established a sort of prescriptive right on her time and energy—perhaps, they were not far wrong. She always preferred, if preference she had, to speak to the younger generation. She was 'a very sick woman' though she might not look it, and it was thought she might drop down dead in the midst of some speech—she was sure they would not like that to happen then—(voices no, no)—and she had been strictly enjoined not to attempt to speak at public meetings. That, no doubt, was, she said, a very wholesome training for one whose ill-luck it was to speak in season and out of season, everywhere, suitable or unsuitable. But on this occasion her heart would not let her rest until she had taken some little part in the function. Her only anxiety now was how on her return to Hyderabad, her mother city, she could face her sisters there whose request to her to speak at some conference she said she evaded, though she found it possible to address a gathering in Madras, her mother-in-law city. (Laughter)

The whole social reform movement, she said, had had its inception in Madras and among the women of Madras. Its cradle was here, its dreams were dreamt here and sacrifices in the cause were made here. She was happy that they were having for their President on the occasion Mrs. Cousins "that large-hearted woman, Irish by birth but world wide in outlook, to whose great enthusiasm and devotion this conference owes its origin."

Speaking of herself, Mrs. Sarojini said that she was one of those heterodox persons who never believed—she hoped they would never believe either—that women's movement was an isolated thing "that had to be supported, fostered, nursed and given tonic to run soundly." "The whole justification for any women's movement in any part of the world," she said, "is that it is deliberately and consciously merely a temporary phase of the work for the consolidation of the position of women, in order to enable them to take their part in the life of the world. It is only in that spirit that I ever participate in any gathering purely of women. I hear a great deal in other parts of the world of feminism, women's part, women's movement and women's point of view. I have never understood the meaning of this limitation, the segregation, the deliberate disinheritance of womanhood from the common inalienable right of humanity. In India, more than in any other country, must we realise this fundamental fact that women cannot be isolated from the common life of the nation.

To-day, when we meet in women's gatherings to discuss questions of educational policy or social reform or political rights, we must bear in mind that, when we use the word 'women' we dare not use it in the sense of a separatist definition or as something hedged round by any limitation. But women meeting as women can only do so, dare only do so, by the reaffirmation of their faith in their own destiny and their being part of the common nationhood, the common purposes, the common struggle and common achievement."

Whatever women might think in their moments of bitterness, women, at any rate, in India, should realise that they were not working towards any new ideal. They were working towards the remembrance of an ancient ideal that was the fundamental virtue of Indian civilisation. That there was a need for reminding themselves about it was the penance they had to make for their abrogation of their own destiny. She was not one of those who believed that woman was a down-trodden creature. She was not one of those who ever suffered from that dreadful inferiority complex that looked outside her own strength for her own regeneration or deliverance. "To say that we are smothered by man-made laws", she added, "that we are trampled by man-made condition, that we are imprisoned by man-made injustices, is to deny ourselves that element of Godhead which creates its own destiny. Therefore, I think that the time has come when Indian women, at all events, should make the great reaffirmation that women are indivisibly the heart of the humanity, and that she legislates for her own destiny and that she creates ideals and policies for her country's emancipation and progress. But to sit with folded hands, to say you are not allowed to do this, or that, that the professions are not open to you, that economically you are slaves, that you are hounded by conditions and conventions—this is to acknowledge a lack of self-respect that makes you feel wrongly that you are dependent for your very elementary women's heritage on the whims of those to whom you yourselves in years and generations of weakness and love of ease and protection have given your destiny to keep and mould or mar. The whole purpose of this women's conference is much greater than what appear on the printed page of your report or the text of your resolutions. These resolutions are very minor things. Franchise, education, removal of disabilities of inheritance and all those things are merely symptomatic. They are little counters which express your whole conception of the larger life that women should lead. But there would be no need for these resolutions if there was one single resolution carried into action. That resolution is literally in the dictionary meaning of the word,—the resolution, that women will wipe out from their forehead the label of their self-confessed inferiority, which is unreal, that they will wipe out the idea and language of dependence, that they will not assert their rights but fulfil their duty. There is a vast difference between assertion of a right and assuming of a responsibility. The whole idea that we must fight for our rights, that there must be a battle and a militant organisation to secure our rights is a very obsolete idea to my mind. What is necessary for us is, I think, the conception of the dignity of being an indivisible section of humanity. We should quietly, without fuss, without that sense of demanding limelight and publicity for what we consider to be our brave effort and our militant assertion of our rights, step into the place that has always been ours. There is no need for bitterness, for fear or for a quarrel between man and woman. There need be no sense of being overwhelmed by the difficulties of the situation. There is necessity only for resolution on the part of women that they shall be women of the highest stature of their womanhood."

All over India and all over the world, Mrs. Sarojini proceeded and, there were women doing what was considered miraculous things. But in reality, they were not miraculous things, they should be normal things so far as they were concerned. Why should they consider it exceptional, remarkable or miraculous things that in their brothers, fathers or sons were considered normal or ordinary? Why should any more attention be paid to it than would be paid to a man in similar circumstances? They should realise that they were but normal things and that they were but taking their rightful place in the scheme of things. Then and only then would they have understood the real meaning of education and equality in national life.

Education, she said, was a matter not of buildings, or curricula or teachers. It was a thing in the self of a person. It was the drawing out of one's self all that was best and highest in one. Those dealing with education should, therefore, be careful and not accept the outworn conventional definitions of education but realise that it was "a real, palpating personal contribution to life by the individual, as

adding to the beauty of life, to the intensity and colour of life, to making life as wide as the ocean, as high as the sky as brilliant as lovely as spring time, as sweet as the laughter of children, as brave as the sacrifice of every mother in the world." Then, there was the question of social reform. Ideas were changing rapidly, conditions also varied in different places. If the problem in one place was the purdah, in another the problem was terrible hide-bound orthodoxy and in another too rapid breaking away without the ballast of proper education. The solution, therefore, was essentially one to be determined by local conditions. But, in a general way, all social reform should help the individual to the fullest expression of his or herself. That each generation should solve its own social problems seemed, to her mind, to be the right spirit in which social reform should be carried on.

In carrying on their work, Mrs. Sarojini suggested, they should take all these matters into consideration. If they did, very soon there would be no need for social reform or women's conferences. The less they spoke or held meetings, the more frequent should be the opportunities for their energies to transmute themselves into action. "Women in India", she said, "seem to be catching a deadly disease from men, the most infectious of diseases—love of meetings and speeches (laughter). Whichever two or three Indians gather, there must be a President, a speaker and if not an audience as some friend put it 'an audien (renewed laughter). If there should be meetings at all, they should be not for passing resolutions or making speeches but for recording work faithfully undertaken and discharged, for interchanging ideas and experience and transmuting all into further successes."

"When the first meeting of this Conference took place in Poona with the Maharani of Baroda in the chair, Mrs. Naidu said concluding, "when a group of women from different parts of India gathered together to form the nucleus of what now has become not merely an All-India organisation, but one that counts outside the frontiers of India, my one hope and prayer was that the day might soon come when the highest tribute that this Conference could pay itself would be to write its own epitaph. I am looking forward to that day and I hope it will come very quickly before the rest of my hair turns white. I want to be present on that occasion when our friends, the Maharani of Baroda, Mrs. Muthulakshmi Reddi, Mrs. Margaret Cousins and all the presidents of this Conference, will gather together and say, 'We who have lived and given our life for this work are now ready to die because no longer do the women of India need the protection of a women's organisation. They are so consolidated in their strength, courage and ability that they can take their proper part in the common life of the nation, in the economic deliverance of the country, in the educational regeneration of the people, in the social reconstruction of India. In all these great matters of vital import in the life of the nation, there is now no sex inequality, no sex isolation, no sex disability but there is unity of vision, action, sacrifice and service. Therefore, I say, the only benediction I can give you at your conference is that you may yourself, by your own action, vision, strength, wisdom and courage expedite the day when women's organisations in India will go grandly to their resting place because Indian women will have once again resumed the great and noble destiny of being the half of the nation,—the half that leads the vanguard of progressive measures of life (applause)."

She then declared the Conference open.

#### PRESIDENTIAL ADDRESS

Mrs. Cousins then delivered her presidential address, in the course of which she said

I thank you sincerely for the honour you have done in asking me to preside over your deliberations this year. Such opportunities of service are our certificates of merit in our Convocations of Women.

We women who have extended our mothering influence beyond the realm of the four walls of our homes to public affairs have done so because we find that the great subjects of health, education, the status of women, economic, political, religious, and legal and the freedom of the country, interpenetrate our lives in the home, help or hinder us in our great vocation of mothering the race and living out our own individual lives happily and valuably.

When I sent out the first letter in 1926 inviting women to co-operate in a joint effort to improve our Indian conditions, I think my only claim to praise was that I was courageous enough to risk failure in seeking to rally women to unite and to travel to a central place to discuss matters pertaining to their own interests without coming in the wake of some gathering of menfolk. That act of courage has

been nobly upheld. Through the conferences of these ten years the awakened womanhood of India has been woven by the shuttle of trains back and forth through this vast country into a single khaddar fabric. The women of the country now know one another, they honour one another, they think things out together, they follow leadership, they initiate new schemes such as the Home Science College, the Mysore Five Year Plan, the memorandum on women's status in the new Constitution, legislation for the abolition of child marriage, for equal rights of inheritance, health measures, and labour reforms. All these things have grown out of the seed set in the fertile soil of Madras where there has always been social, communal and educational unity between the women of this city and where men have honoured women by doing what women pointed out to be useful necessary steps in national progress.

As an assembly of Madras city women we are proud that Madras is now giving compulsory primary education to every boy and girl in the city. But we want improvement in the education itself, more alignment of it to the lives and homes of the children, more balance of training of the head. We also want facilities for teaching Hindi as it is the language which is known to three-quarters of the people of India. South India alone cannot speak with the rest of India. Therefore it is imperative that the teaching of Hindi should be permitted and financially aided in all these schools of Madras City and thus become the model for the whole presidency. We, women, are for unity, therefore for unity of language also. Everything shows that Hindi is the most natural, the most easily acquired language for our people, and especially for our women, to learn as a service towards national unity.

Alas, while we view the condition of primary education here with certain satisfaction, there has been failure in liquidating the illiteracy of the country, for the rate of India's illiteracy is still not 10 per cent! Such a figure makes one almost despair. A visit to the Indian States of Travancore and Cochin heartens one up, so determined are the people there to have education as their birthright apart altogether from its connection with employment. I found that 70 per cent of the girls of Cochin are going to school. If illiteracy has become practical for the people of Kerala, why cannot it be so for the people of the Madras Presidency? Is it because the Government spends only 5 per cent of its total revenue on education? But apart from that, if only each person who can read or write would teach 13 other people to do so, the burden of illiteracy would be removed within ten years. Those who have had the advantage of literacy have not sufficiently taken to heart their responsibility to share their knowledge with others as a sacred trust.

On the subject of co-education, Madras City has shown good sense. In it we find boys and girls learning together in schools of all stages and also in all classes of the colleges. We also find separate schools and colleges for the two sexes. People send their children according to convenience of locality, expense, faith, and not by fears and prohibitions connected with sex.

We called for medical inspection of school children this time ten years ago. It is one of our resolutions to-day. The health of women is appallingly bad. The new generation is growing up without improvement. Again, I must point out the scandalously low amount spent on Health out of the revenue of the country. While 55 per cent is spent on Military and Police, only one per cent is spent on the Public Health as Mr. Cochrane states in his book "India in 1925", a Government publication. The report on Public Health by Col. Russell, published last week, gives the infantile mortality rate as 170 per thousand. Diseases and deaths of mothers are abnormally high in an equal degree. With all this, the population is increasing at a rate that makes greater poverty inevitable. Our All India sessions have for the past three years asked the Public Health authorities to make scientific information and equipment available to parents desiring to regulate the size of their families according to their means and health. Col. Russell's words on the subject are very important. He says: "What ought to be remembered is that by practising certain methods included under the term 'birth control' it is possible not only to save the lives of many infants now doomed to death, but to lessen a terrible amount of suffering, illness and death which are the lot of thousands of mothers of all ages in this country. If these aspects of the question are kept in mind, much of the controversy on this subject would quickly disappear and the real value of birth-control as an important factor in preventive medicine would be recognized."

We women keep pressing for reforms in our inheritance rights. We have put our grievances specially before the Hindu Law Reform Association and Sir G. Madhankar, so that we may have the support and experience of these learned jurists

in drafting Bills to secure just economic rights. But I feel that we have not made ourselves sufficiently acquainted with the living conditions of the working class women in either town or country. They are our sisters of the masses. They are heart-rendingly poor. As we link ourselves with them, we shall turn our deepest attention to solving the problem of a more equal and equitable distribution of the wealth and the necessities of life to all. This is the problem demanding solution from the whole world. Our late great leader in Madras, Dr Annam Besant, summed all these things up for us when she wrote "Be it ours to maintain that the greatness of a nation depends not on the numbers of its great proprietors, on the wealth of its great capitalists, on the splendour of its nobles, but on the absence of poverty among its peoples, on the education of the masses, on the universality of enjoyment in life."

I will conclude by referring women's attitude towards the freedom of their country. The new constitution imposed on India is a new make of shoe, but it still pinches. How are we women going to walk in it? Just as the nationalist organisation, the Congress, is going to do, use it as best we can, under protest to exhibit and remove its inadequacies and injustices and at all steps to practise all the duties and techniques of citizenship. This time ten years ago we had not a single woman Legislative Council member. To-day Madras City is represented by a woman who brilliantly contested and defeated a man candidate in open election. Not only this, but the new Bill compels India to have at least forty women Councillors in the new constitution, six in the Council of State and opportunities for any number of more women to stand for unreserved seats. Of course, we women are disgusted that communal electorates have been thrust on us against our will that we stand before the world with the mark of inferiority complex on us through this imposed reservation of seats for women as if that was the only way in which women could have got in to Council and that men being the majority of voters would never have returned women, that to possess property or to possess a properly qualified husband is the main qualification which may increase the number of women voters from half a million to five millions. These things are utterly repugnant to us, but all these women voters will be included when adult suffrage comes and in enrolling ourselves as I think each qualified woman should, we are covering part of the ground we still demand. Let some of our women stand for unreserved seats and win them. Let us value our votes whether we like the way we have got it or not and then go on agitating for reforming our qualification. The India Bill gives us women more an earlier chance of reforming our qualifications, electorates and rules of voting than it does to men. Let us vote for women who will put the freedom of the country as the first essential of all fundamentally successful educational, social, rural and political reforms.

#### Resolutions

The meeting then proceeded to adopt important resolutions and transact business.

Mrs Kamala Damodaran presented the annual report of the conference. The Conference in March last adopted a resolution urging the appointment of a commission to inquire into the legal disabilities of women and also that the commission should be strongly represented by women. The conference also took up the question of franchise and similar matters.

Mrs. Kuruppan presented the report of the Leprosy Relief Council. The Council opened two clinics in the city, one in Choolai and one in Triplicane and for the period ending March last treated nearly 1,000 lepers of whom two-thirds were children.

Mrs Anarajadasa spoke on the work of the Children's Aid Society which was conducting two remand homes, one for boys and one for girls and also a club for boys discharged from certified schools. The latter were trained and equipped for jobs.

Mrs. Rakmath Unisa Begum spoke on the educational side of the conference work and urged the importance of physical training for girls and the provision of mid-day meals to school children. She also pleaded that medical inspection of children should be effective.

Srimati G. Visalakshi read a survey of the work of the Women's Indian Association since its inception in 1917. The Association, she said, had to-day forty branches in India and was also affiliated to many important foreign women's organisations throughout the world.



*Sreenathi Subhadra Chenchiah* read a report on the work of the Harijan Sevak Sangh (Madras City Branch) for the year ending September 30, 1935.

*Mrs T V Ramamurthi* presented a report on the work of Avvai Home and Orphanage in Myslopore

#### REPRESENTATION AND FRANCHISE

The conference adopted a resolution on franchise, regretting that the new powers given to women by the India Act were not adequate and exhorting women to make the fullest use of such powers as they had obtained. In particular it called upon all educated women to see that all women qualified for the vote should apply for registration of their names on the electoral rolls and should use their votes to the best advantage.

The conference also recommended that in the Instrument of Instructions that are to be framed for the Governor-General and the Governors that women should be given chances of association in the administration of every province as well as in the Central Government, especially in the departments of education, health and labour and provision should be made for at least one woman to be appointed to each provincial Public Service Commission.

The conference adopted the following resolution

This conference deprecates that property has been made the main basis for qualification for membership of the Council of State to the exclusion of educational qualification. We totally disapprove of this method of election for the women's seats in the Council of State.

#### EDUCATIONAL QUESTIONS

The conference recommended that careful instruction in Social Hygiene should be provided for girls and boys in High School classes.

A third resolution reiterated the resolution passed by the conference in the previous years on the subject of Cinema control and urged that the conference should be represented on the Film Appraisal Board.

The conference urged on the Government to provide adequate grants for compulsory medical inspection of girls and boys in High School classes.

This conference recommends that a proper place should be given in the curriculum of schools for the training of children for civic duties and responsibilities.

*Mrs Muthulakshmi Reddy* moved that this conference appeals to the public of Madras to liberally contribute towards the construction of a suitable building for the National Girls High School, Myslopore, which has a strength of over 650 girls, of all classes and castes, and is the only aided Hindu Girls High School in the city of Madras.

*Mrs Muthulakshmi Reddy* said that the institution had been in existence for over 60 years doing good work. It was now educating over 100 poor girls on fee concessions. The institution was popular and the temporary sheds constructed had collapsed on account of the recent rains. Therefore it was an imperative necessity that there should be a permanent building for the school and for which funds were needed. She referred to the generosity of *Sri P S Sivaswami Aiyar* in running the institution and appealed for public support.

*Mrs A V Raghavan* seconded the resolution which was duly carried.

"This conference strongly recommends to Government to encourage the teaching of Hindi in schools and colleges (as a unifying medium) for the peoples of India."

"This conference urges on the departments of education and of Public Health and Local Boards and Municipalities to teach first aid to all students and citizens."

#### THE ITALY-ETHIOPIAN CONFLICT

*Dr Muthulakshmi Reddy* moved

"This conference strongly condemns the aggressive attack by Italy on the Abyssinian people and appeals to all nations to support and strengthen the League in its efforts to abolish war."

*Dr Muthulakshmi Reddy* said that some time ago women sent a joint memorandum to the League expressing themselves against any wars. Italy now wanted to use modern weapons of warfare against Abyssinia with a view to subjugating it. People in India who were wedded to the principle of non-violence could only appeal to other nations to make efforts at this juncture to bring about peace.

The resolution was seconded by *Mrs. Amma Sureswasthan*.

Mrs. Cousins, speaking on the resolution, said that in the League of Nations which represented 57 different nations of the world, they had been trying to make what was called collective security. According to a Covenant of the League of Nations, no nation which was a member of the League could wage war with another nation, also a member of the League. Both Italy and Abyssinia were now members of the League and something should be done either by diplomacy or by arrangement or by change of heart in order that Italy would be content with some concessions she might get. All the world was against war, especially women. Indians who believed in Ahimsa had particularly great sympathy with Abyssinia politically, religiously and humanly. The resolution was unanimously adopted.

#### REFORM ON HINDU LAW

The conference repeated the resolution adopted by it in the previous year referring to the injustices done to women in marriage laws and inheritance rights and urged that immediate legislation should be undertaken to amend the Hindu laws on the question so as to make them just and equitable.

The conference deplored the action of the Mysore State in rejecting legislation to prevent child marriage and urged members of the Assembly to support the amendments to the Sarda Act introduced by Mr Bose in order to render the Act effective.

Another resolution welcomed the recent legislation for the closure of brothels and urged women officers should be appointed for enforcing the Act and for undertaking preventive and rescue work.

The conference also adopted resolutions urging on the authorities the need to tackle the beggar problem, recommending to the authorities of the Madras Corporation that adequate sanitary conveniences should be provided at suitable distances throughout the City. The conference pointed out to parents the danger of adorning children with valuable jewels, urged women to invest their money in savings banks and on landed and house property and not so much on jewellery. It called upon the public to use and encourage khaddar and Swadeshi and to eradicate untouchability.

With the singing of National songs the Conference concluded.

## The Travancore Women's Conference

The annual conference of the Travancore Branch of the All-India Women's Conference was held on the 19th October 1935 in the Victoria Jubilee Town Hall, Trivandrum. Miss Sally Cooy of the Christava Mahilayam, Alwaye, presided.

After prayer song, Mrs. Devashikhamony welcomed the delegates, the President and the gathering. In the course of her address, she referred to the work of the constituency in affording relief to sufferers in malaria-stricken areas and making collections for Quetta Earthquake relief. Progress in other direction, was, she said, phenomenal and Travancore was linked up with the central organisation. Travancore constituency was concerned with social and educational work. This conference was a preparation for the All-India Conference where their latent talents could be drawn out. She thanked His Highness the Maharaja and the Government for their generous support and hoped that Travancore would benefit greatly by the interchange of thought and by the All India Conference being held in Trivandrum.

She referred to the resolutions before the Conference like compulsory primary education, reservation of seats in legislature and representation in services and she opined that emotion and impulse had to be subordinated to reason in achieving these objects.

Reports of the work of the All-India Conference of Travancore constituency and of sub-constituencies were then read.

#### [Presidential Address]

Miss Sally Cooy, in her address, observed that the main purpose of the Conference was to think and plan for the happiness of themselves and their sisters all

over the world. Indian women were not isolated in their struggle against disabilities. Post-war Europe was not very different from India. Women suffered from disharmony and dissatisfaction, and unrest. Progress was always thought in terms of status where actually it was moving. Freedom was not licence and had its own limitations and was conditioned by discipline. Freedom must be coupled with honesty and integrity. Discipline of Indian women would endure for ever and would afford them stamina and poise of character at a time of crisis. They had now to deal with commonplace and humdrum questions which required patient endeavour for the progress of the millions. This called for steady work and a new kind of discipline. They had to recognise that they had to fight as well as submit. Geographically, India was unsuited for learning discipline and had to look for guidance from other countries.

In evolving the new discipline, they had to concentrate on particular objects. But they must have disinterested sympathy for common ideals and objects.

The first need in India was to harmonise the woman with her environments and develop the instincts of compassion and service. The work was in villages and training in civic duties and home science must be imparted. She then gave an account of the work done by Christava Mahulalayan.

After speeches in English and Malayalam by Srinathi Sharada and Mrs. Kamalabai Veiu Pillai and nomination of standing committee members and delegates to the All India Conference, the morning session terminated.

#### Resolutions

A resolution which evoked keen discussion was to the effect that since very little is known of the effects of birth control on the nation it was undesirable to encourage the opening of birth control clinics. The resolution was declared carried, one amendment having been lost. Three consecutive sessions of the All-India Women's Conference had passed resolutions supporting birth control, though they wanted provision against abuses of the methods.

The Conference also passed eleven other resolutions. Loyalty resolutions were moved from the chair and passed, all standing.

The Conference elected Srinathi K. Eswaramma to the Standing Committee and Anna Chandy Isha Bibi, Annadavallammal, Mrs. Lakose and K. C. Annamma were elected delegates to the All-India Conference.

One resolution expressed strong disapproval of the pernicious dowry system and appealed to all members to educate public opinion to eradicate the evil. Another urged the importance of village reconstruction in the progress of State and requested the Government to organise a comprehensive scheme of village reconstruction making provision inter alia for the improvement of agriculture and cottage industries on a co-operative basis. The Conference strongly opined that primary education should be made compulsory throughout the State. It urged the need for spread of adult education and called on the Government to establish night schools and circulating libraries therefor. The Conference requested that provision should be made for adequate representation of women in all grades of public service and also both Houses of Travancore Legislature.

With the president's concluding speech, the Conference came to a close.

## The Hyderabad Women's Conference

The ninth session of the Hyderabad Women's Conference was held at Hyderabad (Deccan) on the 1st. November 1935 under the presidency of the *Rani of Wansparika* at "Bashoor Bagh Palace."

After prayer, Princess Durra Shikwar, heir-apparent's wife, opened the Conference with the following speech —

It is with very great pleasure that I open this Conference. It is a source of joy to me to see our women earnestly pursuing the path of progress and it is my sincere prayer that the educational and social aims and objects of this Conference may prosper and prove successful.

Thereafter the President delivered the address.

### Presidential Address

She first referred to the demise of Nawab Wali-ud-Dowla and expressed her sympathy with Begum Sahiba Wali-ud-Dowla, the President of the Association. Proceeding she said

It is very encouraging to see that, within a decade, the women of Hyderabad have advanced much in the task of educational and social uplift. I sincerely hope within a short time Hyderabad will take her rightful place amongst the cities of India in the advancement of her women.

With the strenuous efforts of Mrs. Tasker and Mrs. Rustomji Faridoonji and other members of this association, there is a good deal of progressive work being carried on and the women of Hyderabad are really grateful to them. I earnestly request all the members present here to co-operate with them and help the Association in every possible way. It is no use passing pious resolutions in a Conference without practising them in your every day life. So to achieve the aim, your full co-operation and willing service is necessary. There should be no distinction of caste or creed. Mahomedans, Hindus, Zoroastrians, and Christians all must join together and try to achieve our ideals. By this I do not ask you to give up your religious tenets and blindly follow every principle, but take the best from the East and adopt the best from the West and thus liberalise and broaden our social fabric and through it try to serve our sisters and our country with selfless devotion. Let us all with one voice strive for the welfare of the present and the future generation of our State. I fervently hope that all present here will contribute their mite to achieve the common object.

We should strive to create public sympathy and interest in our favour. I humbly pray that our benevolent Ruler, His Exalted Highness the Nizam and his benign Government will co-operate with our efforts and facilitate our work. But the real help should come from the public for it is we who are to be benefitted. Many an obstacle lies in our path for progress, but it is with perseverance and mutual co-operation that we can overcome all the difficulties. I need not say that the expenditure will be great, and the economic depression which has been hanging over us for the past few years is a set-back to further progress. But still I am confident that the nobility and gentry of Hyderabad will not shirk their responsibility for helping the cause of their fellow sisters. Some of the ladies of our city may not have the chances of doing much social work due to the purdah system but still I sincerely trust that they can in their own way help those who are in need and make quietly many changes in their own homes and influence their neighbours to eradicate the evils of the old customs.

I am very glad to see that the three schools and the hostels managed by the Association are progressing well, and I wish them all success under the kind patronage of our gracious and highly cultured Princesses.

It is interesting to hear that our Educational Committee has suggested a Central College of Arts and Handicrafts for girls with Domestic Science as a compulsory subject. The necessity for such an institution is long felt and when it is started, I am sure it will be taken advantage of by each and every one. I sincerely hope that the Government will undertake to manage this college as it would be a model institution well conducted under the able guidance of the cultured ladies who are instrumental to start it.

### THE ASSOCIATION'S WORK

Mrs. Tasker, Vice-President of the Association, then gave a brief survey of the activities of the Association. The Association was maintaining with Government help three free day schools for girls, who were taught domestic science in addition to the usual syllabus. Another activity of the Association was the Debating Society, which was working for the last four years. In its future development they had visions of sending a debating team to other parts of India. The Association was managing the Women's Hostel, where working women of all classes, away from their own homes, would stay in comfort and security. Thanks to generous help of the Nizam's Government, who have given their financial support for three years, the Hostel could be said to have made a successful start.

Mrs. Tasker stressed the need for more funds and workers, and said that at the request of the Director of Public Instruction, the Association had submitted its view on the reorganisation of education in the State. Concluding, she appealed for increasing the membership of the Association.

## RESOLUTIONS

Resolutions were then discussed and passed.

The Conference welcomed the promise of the Hon'ble the Member for Education for the proper housing of schools (contained in his presidential address at the Hyderabad Teachers' Conference, last month) and urged that this work be treated as capital expenditure.

The immediate need for making free primary education compulsory throughout the State was stressed in another resolution.

Miss Webster who moved the resolution said that the cost of compulsory education would be heavy but it would be a humane investment. She suggested co-education in kindergarten and primary schools with a reasonable proportion of women teachers, as it would be very expensive to have separate schools for young girls. Half time schools should be opened in factory centres and villages where children earned to help parents.

The Conference was of opinion that vocational training should be made accessible to all girls who desire to earn their livelihood.

Mrs. Amayam Mirza who moved the resolution, stressing the importance of vocational education of girls, said that she founded a school over which Rs 7,000 had been spent, and appealed to the Government for financial aid.

For the preservation of the national culture, the Conference wholeheartedly supported every effort for the proper revival and encouragement of Indian Arts—music in particular.

Mrs. R. V. Pillai, mover of the resolution, suggested that the educational authorities should be approached to give music the same importance in their curriculum as other subjects, and to make it compulsory throughout lower and secondary classes. Societies should be formed in schools and colleges, school orchestras established, and the City Fathers be appealed to for establishing municipal orchestras throughout the city.

Recognising the increasing tendency of modern Indian women to enter the professions, the Conference advocated the early removal of all social and technical disabilities in their way.

The last resolution welcomed the recent Firman-i-Mubarak relating to the Prevention of Cruelty to Animals, and appealed to the public and to the Municipal Corporation of Hyderabad to work for legislative measures to ensure its proper enforcement.

In proposing a vote of thanks, Mrs. Rashtoyi said that she felt that the progress of the Association was very slow. They could do a great deal more, if they would only observe the kind of purdah ordained by their great Prophet. She appealed not only to the women here but to the men outside to change their mentality to move with the times and with one voice ordain that the Mahomedan ladies in India would keep such purdah only as was observed in other Muslim countries. Concluding, she said that they should strive for peace and goodwill and not only bring about unity in our own country, but international unity, peace and goodwill.

Mrs. Sarojini Naidu spoke a few words, tracing the renaissance among Indian women. She paid a glowing tribute to the pioneers of the movement in Hyderabad, particularly Lady Hydari. She expressed gratitude to the Princesses for identifying themselves with the aspirations of the women of Hyderabad and for working for the unity of all classes. Mrs. Naidu congratulated the members and other workers and hoped that the Association would strive for further success.

The Conference ended with a national song and the National and State Anthems.

## The Punjab Women's Conference

At a meeting of the central Punjab branch of the All-India Women's Conference held at Lahore on the 9th. November 1933 under the presidency of Lady Shafi a resolution was adopted requesting the British Parliament to safeguard the interests of women by making provisions in the instruments of

instructions that women should be given chances of association in the administration of every province as well as in the central Government, especially in the departments of Education, Health and Labour. The resolution also urged that provision should be made for at least one woman to be appointed on each provincial public service commission. It further called upon the Government to establish women and children's bureaus in every province. The resolution, which was moved by *Mrs Kohli* and supported by *Begum Shah Nawaz*, was passed unanimously.

By another resolution the conference requested the Punjab University to give home science as a separate subject a much more prominent and honoured place in the curriculum of girls' schools and colleges in the Punjab.

## The Oudh Women's Conference

The annual session of the Oudh Women's Constituent Conference Committee of the All-India Women's Conference was held to-day at Qaiser Bagh Baradari, Lucknow, on the 9th November 1935 under the presidency of Lady Maharaj Singh in the presence of a large gathering of spectators and delegates. The trend of the conference bore ample testimony to the keen interest evinced and the rapid awakening and change that are taking place over Indian womanhood.

On arrival, *Lady Maharaj Singh*, the president elect was received by the executive committee and conducted to the dais, where she was garlanded and presented with a badge. She delivered her presidential address in an ex-tempore Hindustani speech. The president, after referring to her past associations with the province, felt glad to be among them once more. South Africa, she said, had given her an unique opportunity of learning to serve others. The time for platform speeches had gone and what was needed was action. She referred to the work done by the Jubbulpore and Allahabad conferences and hoped that this Oudh Women's Conference would work towards obtaining direct and practical results in which each member would take a share of the burden. She declared that until women began to take an active interest in the affairs of their own home towns they would scarcely be in a position to make intelligent use of their franchise in higher spheres. In this connection she suggested that there should be a class for the instruction of voters. 'I feel very strongly', the president asserted, 'that if we are to go into politics we must go in with the idea of purifying politics and elevating it to a higher and spiritual standard and bring back vision to men which they apparently have lost. Otherwise it would be fatal for us to join the struggle and go down into the mire and dirt of politics.' The president said that she would like to see a third of the total strength in all municipal boards reserved for women, especially in health and educational committees. She advised the municipal boards to spend more on girls' education. She urged the establishment of a branch of the social and moral hygienic organization to help towards the work which was at present being done by Miss Millicent Sheward.

Stressing the importance of Swadeshi, the president referred to the beehive stores established in Nauli Tai for the encouragement of Indian crafts and said that they deserve their interest and support. She felt that the time had now come for a very large number of Indian women to take a lead in the nursing profession as they were doing in the medical. There was a great scope for the development of the girl guides movement which was in need of Indian women to come forward in large numbers to help in that great international movement which did so much to teach discipline and service to others. In conclusion, she said that she had always spoken with pride of the wonderful way in which educated Indian women was serving the country. She hoped that the Oudh conference would keep up this tradition and that they would all remember that they were working for the establishment of the kingdom of God on earth when they worked for any kind of social or moral or political reform.

## The Delhi Women's Conference

"We must stand aloof from meaningless party politics because we are pledged to do so. We cannot enter Councils under the present unsatisfactory conditions. We are against the woman franchise being based on property and wifehood qualifications."

We are against being brought into the communal arena. We are reluctantly led to doubt if there has been within the framers of the new constitution a real desire to help the women of this country along the path of progress," thus observed *Rams Lakshmi Rayade*, presiding over the Delhi Women's Conference held at New Delhi on the 14th November 1935.

She continued that the All-India Women's Conference never allowed its outlook to be vitiated by petty differences of locality caste or religion which were unfortunately only too prominent in other spheres of national activity in the land. She recounted the part played in the awakening of Indian womanhood by the All-India Women's Conference and sister organisations during the all too brief period of their existence. She said that the women of India were convinced that time would come when radical amendments to laws regarding marriage and inheritance as affecting them could no longer be deferred. The younger generation of Hindu women of higher classes was already expressing themselves in favour of a Divorce Act. The president pleaded the cause of birth control and the establishment of birth control clinics. She wanted Indians to revise their notion of charity and instead of throwing away charity on those already well-fed or over-fed to spend on those who needed it as also for helping the nation-building activities.

She urged the evil of untouchability to be uprooted. Referring to the present Harijan tension she said that conversion was an act of mind and not of body and it did not require spectacular demonstration. She appealed to Harijans to pause and think before taking any hasty step.

#### Resolutions

The conference passed a number of resolutions. It resolved to request the British Parliament to make a provision and give chances to women for association in the administration of provincial and central Governments. Further at least one woman should be appointed to each provincial public service commission and to establish women and children's bureaus in every province.

The conference urged the Delhi University and the Government of India either to raise the existing intermediate colleges to degree colleges or establish one at the earliest.

The conference recommended the Government of India to appoint a committee of educational experts to prepare a comprehensive vocabulary of maximum number of words common to the largest number of Indian vernaculars.

The conference urged the municipality to improve the insanitary condition of the city and force the sale of unadulterated articles of food.

The conference viewed with alarm the increased number of cases of abduction and traffic in women and, to check it, it suggested to the railway authorities and local Governments to appoint women officers at railway stations to render assistance to women travellers. It also urged the local Government the necessity of appointing an honorary woman magistrate to deal with cases relating to women and juvenile offenders.

The conference finally elected delegates to the next session of the All-India Women's Conference.

The conference passed a resolution requesting the Government to allow women to wear weapons for self-defence. Another resolution requested the local Government to have temperance as one of the subjects for students in schools. Mrs. Asaf Ali was elected to the standing committee of the All India Women's Conference for 1936.

## The Mysore Women's Conference

Though the proceedings of the Mysore State Women's Conference were not open to the press, the reports furnished to the press by the organisers showed that the Conference which was held at Bangalore on the 13th November 1935, was a unique one. A distinguished member from Mysore observed that the conference was a thorough success. "It is very gratifying," she observed, "to note that two resolutions, viz., the eradication of untouchability and encouragement to Swadeshi articles and particularly to khaddar, received the whole-hearted support of the conference."

As many as eighteen resolutions were discussed and adopted without a division.

Mrs. Kameswaramma (Mysore) moved the resolution, appealing to the women of Mysore to come forward in large numbers and help to bring about the uplift of Harijans.

A resolution moved by Mrs. *H Bhavani Sankar Rao*, supporting the Sarda Act and urging that girls below 14 years of age should not be married, was rejected.

On the motion of Mrs. *K D Rukmansamma* the conference adopted a resolution according support to the Five Year Plan evolved by the Mysore State Women's Conference.

After the passing of resolutions, *Lady Mirza M Ismail* offered the sincere thanks of the delegates to Her Highness the Yuvarani, the President of the Conference, for her words of encouragement and advice. The presence of H H the Yuvarani, the speaker said, was a proof not only of her own solicitude for the advancement of the women of the State, but also of the abiding interest the Royal House of Mysore had always taken in the progress of women.

*Lady Mirza Ismail* assured H H. the Yuvarani that in the coming year they would make all possible endeavours to make their work more effective in the several ways suggested by Her Highness. It was certainly true that mere aspiration unaccompanied by action failed to achieve its purpose.

Mrs. *A V Ramnatham*, the Chairwoman of the Reception Committee, to whose zeal and enthusiasm the success of the conference was not a little due, thanked the delegates for the co-operation they extended to her and the Reception Committee and for the commendable zeal they had shown in the deliberations.

## The Cochin Womens' Conference

That primary education should be free and compulsory in the State and women teachers appointed in primary schools was the demand put forward in a resolution passed at the Cochin Women's Conference held at the Girls High School, Ernakulam, on the 16th November 1935. *Miss M S Coey* of Alwaya presided.

*Srimati V K Lakshmitkuty Nethyaramma*, Consort of His Highness the Elaya Raja, welcomed the delegates. She said that women's movements all over India were making rapid progress, and men and women were trying to understand one another and work in co-operation to spread the various reforms for the welfare of men women and children.

She suggested a change in the curriculum of studies in their schools. She said that girls should be taught home-crafts and domestic science, the laws of health, principles of sex education and maternity and child welfare, so that they might make their homes happier. She said that the sanitary conditions of the primary schools should be improved and appealed to them to take an active interest to better the conditions of their sisters in the villages.

*Miss S Coey* then delivered her presidential address. She traced the history and progress of the women's movement in India and said that the one concrete piece of reform that deserved special mention was the establishment of the Domestic Science College at Delhi. She dealt with the duties and responsibilities of educated women who owed something to the country which had equipped them with the education. She referred to the success that had attended private enterprise in the West. In England, the Hospitals were mostly started and maintained by private individuals and managed by them. The Ragged School Unions and various institutions for Industrial workers were also the result of private initiative and enterprise. The Government no doubt came in later with their help and patronage. She referred to the work of the Y W C. A. in Calcutta which took the lead in imparting Physical Training for Bengali women and in starting musical competitions.

### RESOLUTIONS

Resolutions were then passed thanking the Government for the annual grant sanctioned to the delegates to attend the All-India Women's Conference and regretting the fact that the Muktathayam Thya Bill passed in the Cochin Legislative Council conferring property rights on Thya women had not been made into law and requesting the Cochin Government to expedite the same.

Another resolution was passed requesting the Government to take immediate steps to make primary education compulsory and free in the State and to appoint women teachers in all primary classes.



The next resolution strongly disapproved of the prevalence of professional begging in the State and requested the Government to give the necessary help to the members of the Ladies' Association who were prepared to take up the preventive work.

A resolution was passed urging the abolition of the Dowry system prevalent among Christians. The resolution further urged that the law should be so amended as to enable Christian women to have equal rights with their brothers to their paternal properties.

Resolutions were also passed next, recommending to the Government the inclusion of Indian music among the optional subjects for the Intermediate and B A. courses in the Maharaja's College, Ernakulam and to open Montessori classes attached to the Girls High Schools at centres like Ernakulam and elsewhere in due course as funds permitted.

Another resolution requested the Government to grant at least Rs. 300 annually for the expenses of the delegates to the All India Women's Conference.

The Conference came to a close with an appeal by the President for greater organised effort and propaganda in the cause of women's uplift.

## The Andhra Womens' Conference

The Andhra Women's Conference commenced at Guntur on the 30th November 1935 with prayers by the girl students of the local "Sarada Nikethana", after which Mrs. M. V. Sayagreswarar, President of the Reception Committee, welcomed the delegates to the conference.

She narrated the historical importance of Guntur District and recalled the part played by women like Nayakurahu, Manchala Rajammadevi and others on the battlefield in defence of the freedom of their country. She also referred to the famous Buddhist Stupas and the University of Amaravati in Guntur District and said that the history of Guntur District reminded every one of the ancient glory of the Andhras. Adverting to present-day problems, she condemned the dowry system and deplored that even among highly educated people this accursed practice had not yet been given up. She observed that there would be no real social progress until it was discarded. She condemned untouchability, and exhorted the women to dedicate themselves to the great task of removing this social evil as it could be accomplished earlier by women than by men.

### Presidential Address

Dr (Miss) K. Atchamma then delivered her presidential address. She said that the present educational system in our country both for boys and girls was very defective. She spoke at length on the education of girls. No difference need be made she said, between boys and girls so far as primary education was concerned. It was essential that girls should be trained from the outset in hygiene, discipline, physical culture and in self-expression. Primary schools must have an atmosphere of love, beauty and joy. The parents must not be content with sending their children to schools as a means of escape from their frolics at home. On the other hand they should always take continuous interest in their progress and learn to live in the same atmosphere as children.

Higher education was necessary for women. By education was meant not merely reading and writing but the ability to gain knowledge and employ it for the welfare of society. If education for girls ended at the primary stage they would soon have to enter family life or sit idle and in either case their growth would be stunted both physically and mentally. Through higher education women had scope and time for intellectual development.

Referring to marriage, she said that in the West the marriage of a girl was her own concern. Parents had nothing to do with it. According to their conventions boys and girls would meet at dance parties, dinners, social functions, at schools or universities and make their choice of partners in life and then inform their parents of it who would approve of it. Even if they did not approve the couples would have their own way. The defect of this system was that generally the boy and the girl did not (and could not) have adequate understanding of each other's temperaments and circumstances. Only after they started life together did they

learn about their temperaments and short-comings. Hence the divorce cases of which so many were reported from the West.

But the Hindu system of marriage went to the other extreme. Marriage here was the sole concern of the parents and the girl had no part in it, though in recent times the wishes of the girls were in some cases consulted. These were only a fortunate few. The influence of Western ideas had brought about a change in the outlook of boys and there was a conflict between the two systems which was resulting in great misery. She said that both the Western and the Indian systems of marriage were not right and synthesis of both should be made in a way that promotes our ideals and the welfare of society.

Referring to the question of divorce, she said that divorce would undoubtedly help those unfortunate women who were put to intolerable sufferings by their husbands. Under the Hindu system there was no right for the wife even to live apart from a cruel and tyrannical husband except with his consent. If he sued for the custody of his wife she would be delivered into his hands by the Courts. If there should be a means of escape from this helpless position the only way was divorce. It was necessary, she said to work for securing the law of divorce placed on the statute-book as early as possible although some might say that such a law would often be abused. But every good institution could be abused and if the law of divorce was turned into an evil in some cases the fault lay not with the law but with the people who abused it.

Turning to the right of inheritance of property the President said that property has great significance in the present social conditions in India. The position and honour that boys enjoyed in Hindu society were due to the fact that they could inherit property. She pleaded for the grant of the right of inheritance to women on the same basis as men.

Under God's will, she went on, women's noble destiny was to become a mother. Motherhood meant rearing of children and moulding them into individuals who would take their proper place in society. Every woman should fulfil her great duty by devoting completely her powers, intelligence and love granted to her by the Almighty for the production of a worthy generation. Creation of the human race and moulding it into perfection are the twin tasks with which only women had been charged by God. It was very easy to see what an important role women had to play in society.

Turning to the social and political importance of women, she wondered how women had come to possess an inferiority complex. It had taken a deep root in our country and however educated and advanced our women were they were not able to get rid of the complex that they were inferior to men. It was no wonder that it should be so in our country where even men were in bondage.

Speaking about the rights of women, she asked "Were not even sons of men, who looked upon women as slaves, children of slaves?" She could not understand women demanding and fighting with men for equal rights when they should claim them as their birth rights. "Who are men", she asked, "to grant rights to the women? These rights are our own. To learn these are our own rights and having learnt that to exercise them is our duty. As in the case of our country's freedom we are asking others for our freedom without realising that it is in our own hands. Freedom can be won by those who have the will and ability to win it and not by those who beg for it. As the adage says what is inborn lasts for ever and what is learnt from others lasts only for the time being, and how long can we hope to retain a freedom that is a gift to us? And how long can we enjoy it? We must feel that freedom is Godlike and freedom is Heaven itself and try to achieve it."

She exhorted women to work strenuously for winning the freedom of their country along with their own social emancipation. She recalled the glorious part played by women in India, Andhradesa in particular, in the last civil disobedience movement and claimed that women alone have the power to make a great nation.

She concluded her speech with a survey of the women's movement in the West and how they obtained suffrage in England and Germany during the Great War of 1914. It was only in Russia, she said, that women enjoyed perfect equality with men and occupied positions of high honour. They possessed full rights with men in their country. She referred to the position of women in modern Germany and Italy, after the rise of Hitler and Mussolini, who advocated that woman's place was only in the home, and said that she could not prophesy the future of women in these lands.

The Conference then discussed a number of resolutions. After a good deal of discussion, the Conference passed a resolution favouring co-education.

With a view to obliterating illiteracy the Conference urged the local boards to introduce at once compulsory education for children.

The Conference suggested that the vernacular should be the medium of instruction in schools and urged that only women should be employed as teachers in elementary schools. The authorities of schools were requested to provide for the teaching of Hindi. It was resolved to organise travelling libraries to spread education among adult women. The Government were requested to start one high school for girls in each district and a separate first grade college for women in Andhradesa.

When the Conference reassembled on the next day the 1st. December 1935, the half-yearly report of the work done in the province both in respect of educational and social activities by the Andhra Provincial Women's Conference was presented by Srimathi M. Kamalamma, Secretary of the Standing Committee. The report stated that much could not be done during the year as the attention of most of the workers was directed towards collecting funds for the relief of the famine-stricken people of the Ceded districts. Unlike in previous years, in the past year District and Taluk Conferences were held in almost all the districts of Andhradesa and the message of the All-India Women's Conference was amply propagated.

Condolence resolutions touching the demise of Mr G. K. Devadar and the daughter of Sri Ponaka Kanakamma were passed. The Conference expressed its gratification at the speedy recovery of Mrs. Kamala Nehru.

The Conference appealed to men and women of Andhradesa to work for the realisation of a separate Andhra Province.

A resolution deprecating the way in which even educated persons were trying to evade the Sarda Act was also passed. The Conference condemned the move to get the Sarda Act amended so as to lower the legal minimum marriageable age of a girl to 12 and appealed to the Government to see that the legal minimum was raised to 16.

The Conference requested the Government so to amend the Hindu Law as to accord the same treatment and punishment to a man who married a second wife even while his wife was living as was now accorded to women who married a second person while her husband was living. This resolution was moved and passed in the place of the resolution usually passed at every conference previously held making the divorce law applicable to women.

The Conference appealed to men and women to abolish "purdha and untouchability. The Conference pleaded for adult suffrage for men and women and for joint electorates in the future constitution.

The Conference requested the Government to take immediate steps to amend the Hindu Law so as to endow the right of inheritance of the father's property on women also.

After a few more resolutions appealing to women to take to the revival of village industries, to organise orphanages and to abolish the system of giving dowries to bridegrooms, were passed, the Conference terminated with the concluding remarks of the President.

# All India Oriental Conference

The eighth session of the All-India Oriental Conference was held at Bangalore on 29th December 1933 under the presidency of *Dr S Krishnaswami Iyengar*

*Dr E P Metcalf*, Vice-Chancellor, Mysore University, and Chairman of the Reception Committee, welcomed the delegates. In the course of his speech, he said —

Mysore is to-day an important centre of oriental learning, where the older and the newer cultures find common ground, each receiving its meed of recognition both from the cultivated public and from the State.

The older culture is conserved in numerous pathshalas and other institutions, which provide facilities for higher studies of the traditional type in Sanskrit, Kannada, Persian, Arabic, Oriental Medicine and Astronomy. On the other hand, research of the more modern kind is carried on in the University and in other foundations, notably in the Mythic Society of Bangalore.

The Mysore University, which, though one of the very first of the teaching Universities in India, is yet one of the youngest of Indian Universities, has already achieved a considerable amount of standard work in oriental learning. Among its institutions are two devoted to pure oriental research. These are the Oriental Library and the Archaeological Survey of the Government of the State. Both of these which were formerly independent government departments, are now managed by University Professors under the administrative control of the University.

The function of the Oriental Library is to seek out and preserve from destruction the multitude of valuable manuscripts scattered about the country, many of which have, by process of time, fallen into the hands of owners of little appreciation of the literary and antiquarian value of their possessions. Such collected manuscripts are subjected to careful examination, and those of special interest are published in critical editions. The Oriental Library has already rescued from oblivion over eleven thousand manuscripts, among them copies of unpublished works of great antiquity and value. The Library has also published about a hundred works in Sanskrit and Kannada.

The Archaeological Department is an older institution than the University of which it now forms a part. Its chief concern is with the construction of the lost history of the country from epigraphical material. In addition the Department gives expert advice on the conservation of ancient monuments to the State, numbering over two hundred of each of which it has made a detailed survey. The Department has lately broken new ground (it would be more appropriate to say very old ground) in the excavation of its sites of two forgotten cities.

One of the features of this session of the Conference is a small exhibition of antiquities, which, I feel sure, will prove of great general interest.

You will find in Mysore and round about, many things to see, and, if I may say so, not a few to admire, representing each of the culture which here find a meeting point. I would urge you to avail yourselves of such facilities as we have been able to provide, and as you feel able to take advantage of, to acquaint yourselves with what this very interesting region has to show, and I trust that, when the time comes for us to part and go our several ways, you may have some reason to regard these few days in Mysore as not ill-spent and not without profit and pleasure.

## THE YUVARAJ'S OPENING SPEECH

His Highness the *Yuvaraja of Mysore* then delivered the opening address in the course of which, His Highness said.

When I became aware of the scope of your endeavours, I stood aghast at the immensity of it. Reading a short while ago an account of the School of Oriental Studies in London, I found it was said that it was one of the marvels of the Educational system in England that it had been found possible there to organise courses in nearly twenty languages, as well as in history, law and Eastern culture, to find a highly qualified staff for each of them, and to make provision for research in addition to the numerous courses of instruction. This, however, is only a portion of the task which you have set yourselves. If I understand it aright, you regard nothing

in the whole scope of human knowledge as foreign to you, provided only that it has an oriental flavour.

It is hardly for a layman to suggest the lines on which all this great mass of material should be further developed. But I should like to invite your attention to two points which seem to be of great importance. The first is the writing of a history of Southern India that will make the great Empires of the past live again in the vision of the common man, and the second, the revival of some of the wonderful handicrafts, of which the past shows such abundant evidence, and of which those that survive are living perilously in an indifferent world.

While the history of Aryan rule in India has been told with comparative completeness, and covers a great deal of Northern India, there still remains much of uncertainty regarding the history of the South, even in what are commonly described as historical times. Further excavations and further researches, and a re-reading of the Hindu epics and the Vedas in the light of modern research, may open up wonderful vistas of history and disentangle from the legends of old the historical truth which is often more marvellous than the legends themselves. The effect of the Aryan invasion on the inhabitants of Southern India, with the consequent intertwining of cults and beliefs, the effect of the impact of one civilisation on another, the origin and growth of the caste system, all these are matters which have still to be seen as a collected whole in a great history which archaeology, anthropology, philology, epigraphy and ethnology must combine to produce. That is a task which would defeat any one man, but it is just in such a conference as this that a group can be formed which can set to work, to tackle the problem as a whole.

In dealing with the question of handicrafts, I should like first of all to make reference to the loss which has befallen the cause of oriental scholarship through the death of that great scholar, Dr E. B. Havell. His services to Indian history and to Indian art are too well-known to you to need any emphasis at my hands. But there was one sphere of his work which is not so fully recognised. This was his great service in attempting to restore to their proper place in the artistic life of the nation the ancient handicrafts of this country. I think there is no way in which we can better serve his memory than by considering the means by which the revival of our ancient artistic handicrafts can be most speedily achieved. That, I take it, is again one of the problems which it is appropriate for a conference like this to discuss. Some of us are apt to place too narrow a meaning on the words 'oriental studies'. We are apt to treat them as though they had no bearing on the present or on the future to regard as ends in themselves the finds revealed by historical research or by Archaeology, the beauties discovered in ancient literature and in ancient art. I would venture to suggest that one way in which oriental scholarship can find a larger following and meet a bigger need than it does at present is by tracing the processes by which we have lost many of our things of beauty, and by endeavouring to bring back, wherever that is possible, something of the ancient splendour and the artistic charm of the oriental crafts.

While we hope to learn much from you, we hope, that there is also much that you may learn from our country of Mysore. We have cromlechs, dolmens and rude stone implements belonging to the paleolithic age. There are many beautiful spots associated with the great Sanskrit epics. It was Rama's arrow that made a great fissure in the Yadugiri hill. The waterfall at Chunchankatte enshrines the bath of Sita. Tradition tells us that the Bababudan hills were formed from a portion of the Samjha mountain, which fell from the hands of Hanuman as he was flying to restore Lakshmana to consciousness. Bhima, the terrible, tore Bakasura in twain on the French-Rocks, and slew Hidimba on the Chitradurga. The sage Gantama performed penance on a rock in the sacred Cauvery near Seringapatam, while Agastya had a hermitage at Kalsasa. Parasurama had one at Nanjangud, Jamadagni at Chandragutti and Risyasringa at Sringeri. In the historical period we have records of the Mauryan and Satavahana Empires of the wars between the Pallavas and the Chalukyas, between the Hoysalas and the Yadavas. It was a minister of the Ganga Empire that gave us the largest monolithic statue in the world, the Gomata image. We have relics too of the Vijayanagara Empire, of the rule of Bijapur and Golkonda, of the Moghal governorship at Srir and of the Marhatta Jaghirs at Bangalore and Kolar. The city of Seringapatam has a history stretching back through the ages, and under the Mysore Kingdom became a great centre of learning.

We can show you also the premier monastery of the great Sanjaracharya at Singori, the place where the large devoted Samanviti found asylum from the persecution of his king many monasteries founded in pursuance of the tenets of the devout Madhya, and many relics of the reformer Pasavisvara. Our Oriental Library can show you over 11,000 valuable manuscripts, and our Archaeology Department has published more than 10,000 inscriptions and are preserving some 200 ancient monuments. Nor are we altogether neglectful of the modern arts. Here you will find master musicians like Vidvan Subhannu, Vasudeva Naraya and Mathiah Bhagavathu who have won the admiration of Southern India, while the Indian styles of painting and sculpture have also their honoured representative in artists of fame like Mr. K. Venkatappa and Mr. Siddalinghaswami. Our technical institutions are doing what they can to revive the ancient craftsmanship and to develop in modern work an ancient simplicity of form and design.

In conclusion Ladies and Gentlemen I should like to remind you that we in Mysore feel that we can claim a share in your learn. I President who is himself a Mysorean and he spent a large part of his distinguished career in the service of the State. I am sure that while he will prove a most able controller of your deliberations he will if you ask him make a noble effort to do the place of beauty and historical interest which I have recommended to you.

#### Presidential Address

After a short musical programme, Dr. Krishnaswami Iyengar delivered his presidential address in the course of which he said:

Just about a century ago it was a well known saying and eminently expressive of the truth that Indian History proper really began with Alexander's invasions. Narrowly considered it is still perhaps a common truism to refer to precisely dated history, the process must however have followed in and out back to history of India by at least a thousand years, so that it may now be said even in respect of dated history that we can trace it back to the fourteenth century before Christ. This is particularly true in the effort at understanding the real growth of Indian civilisation and culture which indeed is perhaps the ultimate aim of history properly understood.

Research work in this work has been hitherto with being really philosophical and has been growing to be perhaps more precisely historical. It has in a later stage of development entered into historical enquiry proper, calculation, in the slow but sure building up of the structure of history.

The first and the most important work which requires mention here is one of which we owe the first impulses very impetuously understood at the time to our first great archaeologist Sir Alexander Cunningham in the early seventies of the last century. He discovered on the site of what has since become the famous Harappa in the Punjab some old seals bearing representations of animals and certain signs which were not then understood but it was known that the seal showed some considerable influence to the uncivilised in the region of Mesopotamia where an important work of a great character had been done in the same time. Aidental discovery on the site of Mohenjo Daro in Sind led to a further excavations and that necessitated systematic work on the site of Harappa itself and the two together have opened before us a new world in the modern history of India, taking us almost by a jump over two millenniums from the period down to which we believe we have had some knowledge, that is the period of early Aryan civilisation in India. The general features of the civilisation indicated in the Indus region by the spade of the archaeologist does not take us to the very beginning of it. It seems well enough probable that we can ever reach its beginning in this particular region. In point of general character there is considerable similarity between this civilisation and that of which we had some knowledge for some years in the region of Near Asia.

#### MOHENJO-DARO AND HARAPPA IN ASIA

An investigation carried on in the light of the characters in the Mohenjo Daro and Harappa seals, in the study of the punch marks on coins and marks upon various other objects of a similar character scattered all over India and particularly in the reign of the Dakshin, seems to hold out some hope of a possible connection between the Indus script and the various marks in the marked pottery and upon the coins etc. Let us hope that more work in this line would give us the necessary connecting link at least within India as a result of this and similar efforts, apart from what the future may bring in Mesopotamian excavations to throw light upon this particular question.

Extending our vision north-west-wards, the years of the new century have shown much useful activity and great results. The most remarkable achievements of archaeological activity in this direction have been shown by the three expeditions undertaken on behalf of the Government of India by Sir Aurel Stein. Almost a dozen important centres of culture which once must have been, for this region, flourishing settlements have been unearthed, and a great mass of well-preserved archaeological material has been recovered, in a remarkably good condition of preservation, thanks to the dryness of the atmosphere prevailing over the region. This mass of material actually provided documents of great value in all departments of art and culture, and shows the interacting influences of Indian, Iranian, Near Asiatic and Chinese cultures in this great corridor of Asia.

In addition to these, perhaps the most important of the results of these various expeditions is the light it throws upon the accounts of some of the most eminent among the travellers of the world, particularly the famous Chinese traveller Hsien Tsang and the Venetian traveller Marco Polo. In regard to both of them Sir Aurel Stein found material to confirm obscure points of their narratives, and put beyond a doubt the reliability of both of these travellers as to the truth of their narratives. From the point of view of India, this gives us the course of outspread of Indian culture perhaps, in the most important and widest of its channels.

#### INDIAN CULTURE IN INDO CHINA

Carrying ourselves across the whole of India to the opposite extremity we find another fruitful field where early Indian culture has had a great expansion and flourished for over a thousand year at least, in full vigour and glory. This region for our purposes must be considered in two parts which also have a certain amount of justification in geography though the development of actual Indian cultures does not exhibit anything that might be called different. The continental portion generally described as Farther India or geographically Indo-Chinese Peninsula, briefly Indo China, is one, and the group of islands, which together are called Indonesia as a convenient designation, constitutes the other. The history of Indian culture in these parts have had a pretty similar course and fructified in similar developments. Examining this cultural content the most important item that influenced seems to be religion, and the earliest evidence so far available seems to indicate the coming in of the worship of Shiva and Saivism of the South Indian type. What is perhaps more than this, the script of the earliest inscriptions both in the countries of Indo-China and the islands extending as far as the easternmost limits of Borneo is, as has been satisfactorily demonstrated, a form of pallava-grantha, the language being Sanskrit.

From the dawn of the Christian era down to the ninth century we could see only imperfectly the course of development of history. In the latter period the dominating feature of the history becomes the Sailendra empire and latter on the Chola-Sailendra struggle for supremacy. With the Sailendra history is intimately connected the rise to power of Java or more properly Sumatra Java. With the fall of the Sailendras begins the Islamisation of the region by the transfer gradually of the Eastern Chinese trade from the hands of the natives of India in the Peninsula to those of Arabs who gradually managed to get all the trade in their own hands and ultimately overran the whole of Indonesia. Notwithstanding the inscriptions published so far and the accumulation of a considerable mass of material of various kinds ultimately helping in the reconstruction of the history of this part, the actual region comprising the empire of Sailendras in its early history, and of what is generally known as the empire of Sri Vijaya cannot be regarded as yet a matter beyond all dispute. Recent efforts in the direction seem to hold out promise of a successful solution of this difficulty, and an expedition sent out, through the financial assistance of His Highness the Gaekwar of Shirdi, seems to be bringing welcome light upon this part of Sailendra history. If a shrewd guess might be hazarded, the trend of the evidence seems to show that the Indian cultural conquest, if it may be so described, seems to have been in the region of Funan, Champa and later on Cambodia (Kambuja), and Mr. Walter's recent archaeological expedition seems to raise the hope that we have to look for the empire of Sri Vijaya at least in the earlier part of history, in the Malaya Peninsula. If it should prove to be so, it must be the expansion of this to take into it the islands, particularly Sumatra and Java, that must have given rise to the later Sri Vijaya ordinarily located in Sumatra, the most important centre and headquarters of which had become Java afterwards. The other alternative is that the Sri Vijaya of Sumatra is the original imperial headquarters, and it is the expansion of this that brought about the same hegemony to the Sri Vijaya across the Straits. That hegemony is matter for the Sri

settlement of which we may have to wait for the successful termination of this investigation.

The early history of the island region, conveniently described as Indonesia, has had a more or less similar history of a colonising and a civilising mission by the Hindu Brahmins in particular.

But in Indo China and the islands alike this offspring of Indian culture and civilisation has had its growth and development almost from the beginning of the Christian era—it may be that we are able to carry it a couple of centuries earlier—down to the fourteenth, nay even to the fifteenth, century.

Recent Siamese history and present day Siamese institutions alike show that their institutions are entirely Indian in character, we might even go the length of saying Indo Aryan as modified by South India and notwithstanding much valuable work which has been done recently by Dr Wales in two publications of his 'Siamese State Ceremonies, and Ancient Siamese Government and Administration, the subject requires study from the Indian side for a full understanding.

#### LOCATION OF VIJAYA EMPIRE

Before taking leave of this topic a reference to the points of interest that call for immediate consideration may not be quite out of place, we referred to the character of the Sailendra empire, and left the question whether the empire really belonged to the peninsula or to the islands. An early Tamil classic refers to the imports into the great port of Kaveripattinam at the mouth of the Kaveri, and refers to those commodities which came from Ceylon and the Farther East in these terms—*Ilattu Uṇavum* and *Kalahattu Aḷḷamum*. These Tamil expressions have a meaning which in the actual context, seem specifically intended, and offer a classification of the imports in regard to this particular region. The first expression would mean the food articles from Ceylon (*Ilam*), and things constituting wealth from *Kalaham*. This would *specie facto* imply that the general articles of import from Ceylon were foodstuffs while the imports from a *Kalaham*, where it should have been, were composed of articles of commercial value, in other words, things intended for sale and making profits on. *Ilam* of course is the well known Ceylon. The identification of *Kalaham* at least so far as Tamil literature is concerned is clear to the extent that it is the same as *Kadatan* of the Tamils, or *Kataha* of the Sanskritists. *Kalaham* could be located in the island of Sumatra—of course Sumatra could be easily *Yavadvipa*—then the problem would be at an end. All foreigners who have given us any details of the region seem to refer to *Kalaham* at the Malay peninsula as the chief port and this port is sometimes called *Keda* or *Kala*. If *Kalaham* played such an important part in the commerce of the region it would normally be the point of communication of commercial shipping for the exchange of commodities and bearing in mind the general description of the commodities imported from there we may perhaps be justified in taking it that *Kalaham* was the chief port of call for commercial shipping. If the region set over against it extending across to the Gulf of Siam, half way up which is the Bay of Bandon with a capital *Sri Vijaya* (*Weng Sra*) and if the name for that territory be *Giri Rashtra*, as a river is said to beat that name could we regard the region of the Malay peninsula set behind *Takola*, which is said to be the modern *Takuapp* and *Kala* or *Keda* to the Gulf of Siam as the original kingdom of *Sri Vijaya*, the expansion of which into the island of Sumatra then giving rise to a *Sri Vijaya*, of Sumatra. I leave it there for further investigation.

This brief survey of the outspread of Indian culture indicates most clearly that Indian studies have to be prosecuted in all departments alike, both from an external and from an internal point of view. While various agencies may be making their own contribution from the outside, have we done our part of it to the extent called for?

#### Religious Influence

In our brief survey of the expansion of Indian culture, while these two streams show much that may be similar, they still exhibit fundamental differences in character. It is a question of the outspread of Indian culture all round, that is, in all its departments, religion, art, literature, etc. The northern expansion naturally takes on the character of the spread of Sanskrit language and the Mahayana form of Buddhist religion. The other features connected with this expansion are certainly directly under the influence of this Mahayanism. So whatever features of Hindu culture may be traced here would be coloured to a great extent by this dominating influence.



In the south-east, on the contrary, we seem to begin with the outspread of Hindalism, that is, Brahminism modified into a wider cult and exhibiting itself in the forms of various Bhakti schools, primarily the worship of Shiva and Vishnu. Buddhism, both Hinayana and Mahayana, comes in later. And even so the Mahayana is perhaps the greater influence in these parts. But that influence is distinctly later and can definitely be stated to begin somewhere about the seventh century of the Christian era. In dealing with the religious history of India we ought to remember we are not dealing with a country with a compulsory State religion, with a uniformity of belief and a certain conformity demanded as a consequence. Even in respect of the philosophical schools, the evidence before us is a question of schools, not of one school dominating the rest. If that fundamental position is given the weight due to it, it would not at all be difficult to understand that the developments could be simultaneous and almost for the same reason, a reason inherent in the constitution of the people themselves. The masses could not be philosophical-minded, and be able to follow in practice the fine differences that philosophy might choose to make in respect of principle or doctrine. A philosophical religion satisfying to the elite is not likely to satisfy the needs of the more general public, and there must be need, side by side, therefore for a something that would satisfy the average spiritual need of humanity. Differences in religion therefore of a radical kind like this would seem to result from the actual constitution of the people and such definite influences as we can trace from literature seem to support this view.

In the outspread of Hinduism into Indo-China and Indonesia we find the transplantation of the same early principles of the newly developing Hinduism into a new milieu exactly in the manner in which that principle perhaps, in a slightly earlier stage, had been transplanted to South India itself into a similar new milieu. There again is a parallelism in the development of the two: the development of Indogryan Hinduism in South India on the one hand, and the Farther India on the other.

#### NEED FOR RESEARCH

These investigations exhibit Hindu culture showing a vitality for progress which brought into its fold the vast extent of Asia, in fact all Asia, excepting the Islamic countries and Siberia. It was probably the Muhammadan invasions that brought about ultimately the cessation of Indian activities in this direction, and, left to themselves and detached from connection with India, these cultures gradually decayed and fell victim to more aggressive influences in the course of the next three or four centuries—invasions of new people in Indo-China and Islamic penetration in Indonesia. Notwithstanding the great volume of work done elsewhere and by other agencies, it would seem incumbent upon India itself to make earnest efforts well co-ordinated and properly directed, to recover the whole vast extent of this culture with a view to gaining a more thorough understanding of it, if for nothing else. It is then that we are likely to be in a position to appraise the influence for good that there was in the institutions that went into the formation of what is called Hindu culture. It ought to be the primary function of an all-India body like the Indian Oriental Conference to turn its attention and devote its energies to this noble task. The first essential would be the recovery of all the material sources that may throw light upon any particular part of this vast field. Anthropological, archaeological, bibliographical and historical effort must join hands, and provide as full and reliable a conspectus as we can possibly get. Archaeological activities threatened to cease the moment that the spade had revealed something unlooked for throwing unexpected light in such large measure upon the ancient civilisation of this ancient land. Very much more of it is needed and over various well-marked blocks of territory within India, to make the results really more useful and provide us with reliable information which is necessary for building conclusions upon the progress of human history in India. Where Government finds it difficult, private effort must be harnessed to the task. But in this case, private effort has to be organised private effort, and must be made, for useful results, under expert direction. Bringing about such a combination might well demand attention from a body like the Indian Oriental Conference.

#### CASTE SYSTEM AND REFORMS

Perhaps the time has arrived for a well co-ordinated historical effort to understand the caste system as a whole with reference to any light it may throw upon the future of India. The most important problem arising out of this would be whether the Indian caste system, as such, can be got rid of and to avoid the

variety even by the bringing about of revolution. While one may wish that the caste system went out of existence for our convenience and left Indian society unorganised with a view to giving it the shape that the ardent reformers would wish to give to it, the question before the serious student of Indian culture is whether it will go out of existence. The results of historical study so far seem to indicate that it will not. Then would arise the question whether there is any salvation for India, Hinduism and Hindu society as such. The most serious study of the subject is required to find any light that an elaborate and detailed study of the system might provide for us. If Hindu India under the caste system could have exhibited the vitality to spread its culture over all Eastern Asia into countries without anything answering to the caste system even, should the extinction of the caste system be made a fundamental pre-requisite for any advance that India should make?

This necessarily leads us to the future of the religion of the Hindus—Hinduism as we understand it to-day. Has it any future before it, or has it become a really serious question whether India should give up Hinduism and adopt a religion more capable of promoting Indian unity, and, at this hour of the day, Indian nationalism with all the attendant horrors which the nationalistic world of the West is suffering from? Was not all the variety and the difference, with a well distinguishable and readily seen unity of feeling and culture, really more desirable for the future of the world than the narrow nationalism of the 19th century, which Europe is now doing its best to modify into some kind of internationalism? Here is quite a live practical problem for even the student of dead literature and materials of culture so much held up to ridicule. If anything like a clearer or better understanding of India of the present is desired, has not the time come for a far more elaborate and detailed study of the cultural history of the country as a whole? In regard to the history of Indian culture in Further India those who have made a serious study of it seem to be reaching the unanimous conclusion that the progress of this culture stopped as the contact with India ceased, though even after three or four centuries of the adoption of Islamism, the cultural background has remained in Indonesia, essentially Indian and Hindu. How are we to account for the great vitality that Indian culture showed elsewhere, and if, for that vitality the inspiration came from India itself, what had happened to the vitality of that Indian culture in India, that we should now regard it as almost a dead culture that could be thrown away at will for the adoption of another? For a proper understanding of this portion, a very deep and widespread study of the contact of Hindu India with Islamic culture in the first instance, and with European Christian culture later, would seem essential.

#### NEED FOR COLLECTION OF ANCIENT LITERATURE

The effort that needs to be made now is, a constructive study of the whole, each section making its own contribution to the building up of that whole. The first essential to this is the collecting together, in a form fit for use, of the whole vast body of Indian literature in all forms of its manifestation and development, a more systematic and elaborate effort at the search for and the cataloguing of, and, as far as may be, the placing before the public full information regarding works of literature in Sanskrit and even of the vernacular languages with a view to this. There have been great efforts in the past, but to-day the work still remains imperfect and uncompleted. Instead of an effort at completing the various pieces here, there and everywhere, the effort might well be made to bring together the whole vast range of it upon one canvas. It perhaps is a sign of the times that the University of Madras is attempting to bring out a *Catalogus Catalogorum* of a more complete kind than the one familiarly known by that name. It is to be hoped that they would have the means and the material to carry it to completion as indicated here.

The next great department of work called for is that which would provide the corpus of the mass of inscriptions relating to Indian studies published here and elsewhere in various forms and in different languages made available in one great corpus, all the necessary critical study and revision being made with a view to the composition of this particular corpus. In this, as in the previous item, whether this synthetic work should supersede or merely supervise the individual and sectional work, is not perhaps a difficult matter to settle. The efforts that are being made and the work that is being actually carried on need not be disturbed, or put out of gear. All that may go on. A great deal of valuable work has been done, and a great deal more perhaps could be done by the bodies and the individuals engaged in such work. For that more encouragement ought to be given to the bodies and individuals doing

the work and the further work to be done should be so organised as to supplement these efforts, of course, except in cases wherever unnecessary duplication of work could be avoided and clear economy can be introduced by abolishing dissipation of effort.

#### FACILITIES FOR STUDY

I very much fear that there is no centre in India to which a good scholar can go and gain ready access to all the most important works of reference bearing on any subject he may be at work on. Of course there are a number of centres where this bibliographical facility and maintenance of a completely equipped library is supposed to be provided particularly the University centres. But a closer examination of the localities will show how very imperfect these very centres are. It is to be wished that there were in India at least one centre but three centres would perhaps be more desirable, having regard to the extent of country. Can the Oriental Conference do anything to realise that object? Can it do anything to beat up sufficient sympathy of the élite for realisation of that object?

Having come so far I would most earnestly bespeak your consideration whether the time has not arrived for a reconsideration of the whole of our organ of criticism in respect of the whole field of cultural research, particularly literary and allied. It strikes me that there is too much of a readiness to make affiliations, to assume interpositions and worse, and cast aside works as later fabrications without sufficiently serious consideration of the position in each case. I dare say I need not go into anything very elaborate to explain my position. I am asking for nothing more than a serious consideration whether the critical principles adopted and applied do not require serious revision.

India has won by slow, if sure, steps recognition as holding the key to Asiatic culture as a whole. This seems only to set her on another strenuous forward march towards attaining for her a position as the home of humanity. If this should get established in course of time, as there is every hope it will, India will attain to the position of the home of man. If there is at all truth in the statement *ex oriente lux* it is all to the glory of India. It remains to be seen what contribution India is going to make towards this consummation, and let me exhort you therefore ladies and gentlemen in the eloquent words of Swami Vivekananda, "Awake, arise, and find not till the goal is reached the goal of a civilization which will set humanity as a whole to live in unity, peace and the happiness of all alike."

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**Review of Trade in India**

**and**

**Chambers of Commerce**

**and**

**National Trade Union Federation**

**July—December 1935**



# Review of Trade in India 1934-35

Signs of a further progress towards recovery were visible in many directions during the year, says the Review of the Trade of India in 1934-35, released for publication on the 28th November 1935

It continues "From such indications as are available, industrial progress seems to have been fairly generally maintained. The cotton mill industry did very well in the year under review, production recorded a large advance and the rate of clearance was also more satisfactory than in the preceding year. The jute industry had a good record. Production increased and exports advanced, the stock situation was much easier, and jute shares appreciated in value. Conditions in the iron and steel industry were also satisfactory, and there was an appreciable increase in production. From such returns of production as are available, it would appear that there was improvement to a varying extent in the output of cement, paper and the chemical industries. In the case of sugar the total production for the season is likely to show an increase over the preceding season, while the production of machines in the latter half of the year showed an appreciable improvement. The output of petrol and kerosene also increased during the year under review. There was not, however, much improvement in conditions in the coal industry.

## FOREIGN TRADE

As regards foreign trade, the increase in imports was much larger than in the case of exports, and the balance of trade in merchandise fell by Rs. 11 and three-fourth crores. Exports of gold, however, continued on a large, though a more restricted scale than in the preceding year, and India's position as regards foreign payments thus continued favourable. National credit stood high and the conversion operations of Government were attended with marked success. The rate of interest on Government borrowings fell for the first time since 1896 to 3 per cent. The price of gold continued firm. The active circulation of currency notes was generally higher than in the preceding year. There was also an improvement in the net ton mileage of class I railways from 18,383 million to over 20,012 million. The index number of non-speculative industrial securities rose from 113 in April 1934 to 133 in March 1935 while those of speculative securities rose from 196 in April 1934 to 2236 in the closing month of the year.

## AGRICULTURAL SITUATION

As regards the agricultural situation, the output of some of the major crops was less than in the preceding season. There was, however, some improvement in agricultural prices, oilseeds and cotton showing a distinct recovery. During the second half of the year, jute prices also advanced. Wheat, however, fetched lower prices than in the preceding years while prices of rice improved to some extent. Tea had a disappointing year and prices could not be maintained at the preceding year's level. On the whole, the agricultural situation was distinctly better than in 1933-34 especially in the latter half of the year. Prices, however, are still at a low level, while the overseas demand for Indian produce like rice, wheat, and most kinds of oilseeds has shown few signs of improvement.

## COURSE OF PRICES

The study of the course of prices indicates that the prices of agricultural commodities have fallen in a much greater measure than those of manufactured goods. The largest decrease in the money value of agricultural produce occurred in the case of Burma. As compared with 1928-29, there was a drop by 63.3 per cent in the agricultural income of Burma, and this was principally due to the slump in the price of rice. In Bengal, there was a decline of 58.9 per cent, and in Bihar and Orissa of 58.9 per cent. In Madras there was a decline by 54 per cent, the value of the two principal products, rice and groundnuts, showing a substantial decline. In Bombay, the decline was to the extent of 49.8 per cent and in the Punjab, of 57.5 per cent. In the Central Provinces and Berar there was a decline of 58.9 per

cent. Taking these eight provinces together, there was a fall of 53.3 per cent as compared with 1928-29. A very important point to be borne in mind in interpreting these figures is that so far as food crops are concerned the cultivator consumes or exchanges in kind of services rendered, a large portion of the crop which he grows and to that extent the fall in the prices of food-stuffs had not affected them.

The total shipments of gold from India in 1934-35 amounted in value to Rs 53 and one-fourth crores as compared with Rs. 58 crores in the preceding year.

The production of piece-goods in India touched a record level in 1934-35. The quantities of cotton piece-goods (including tents) as well as the quantity per capital available for consumption in India (including hand-loom production) are given in the following table.

Year	Net Imports.		Net available M.H. production.		Handloom production.		Net available for consumption.	
	Actual Per Capita.		Actual Per Capita.		Estimated Per Capita.		Total Per Capita.	
	Yds. crores.	Yds.	Yds. crores.	Yds.	Yds. crores.	Yds.	Yds. crores.	Yds.
1929-30	190	5.43	229	6.54	140	4.00	559	15.97
1930-31	87	2.49	246	7.03	139	3.97	472	13.49
1931-32	76	2.11	268	8.00	150	4.17	514	14.28
1932-33	120	3.34	311	8.64	170	4.72	601	16.70
1933-34	77	2.14	269	8.03	144	4.00	510	14.17
1934-35	97	2.62	334	9.03	146	3.95	577	15.80

The year saw a considerable expansion of the imports of artificial silk products. Imports of yarn reached a record level of 15.6 million lbs. which was 6.8 million lbs. in excess of the preceding years' figure and 5.6 million lbs. more than the receipts in 1932-33. The total value of the imports of artificial silk yarn in the year under review amounted to Rs. 118 lakhs as compared with Rs. 82 and Rs. 82 and a half lakhs, respectively, in the preceding two years. Reduced prices and improved quality have contributed to the increasing popularity of rayon products. The chief sources of the imports of yarn into India are Japan and Italy.

It has been reported by the Sugar Technologist to the Imperial Council of Agricultural Research that the average consumption in India of sugar excluding gur, in the three years ending 1933-34, was 221,000 tons, and in 1933-34, the last year of the triennium, about 235,000 tons. Provisional estimates show that during 1934-35 580,000 tons of sugar was produced direct from cane, 4,000 tons from gur-making a total of 584,000 tons, while a total of 222,900 tons were imported from foreign countries.

The total value of the imports of glass and glassware amounted to Rs. 133 lakhs as compared with 122 lakhs in 1933-34. It is interesting to note that the most important single item under the head, glass and glassware, relates to an article of wear, viz., bangles, the demand for which, owing to the necessity for replacement, is likely to be sustained so long as habits and fashions do not change. Almost all important descriptions of glassware imported during the year under review recorded increases. Japan retained the predominant position in the trade, the value of her supplies advancing to Rs. 64 lakhs from Rs. 57 lakhs in 1933-34. Belgium and the United Kingdom improved their shares from Rs. 11 lakhs each in the preceding year to Rs. 12 and Rs. 12 lakhs respectively in the year under review.

The trade in precious stones and pearls further fell off from Rs. 75 lakhs in 1933-34 to Rs. 60 lakhs in 1934-35. This decrease was due as before to smaller receipts of diamonds which accounted for Rs. 37 lakhs as compared with Rs. 59 lakhs in 1933-34. Imports of pearls, unset, also decreased from Rs. 14 lakhs to Rs. 11 lakhs. The imports of other kinds of precious stones, however, stood almost at the same level at Rs. 2 and one-third lakhs as in 1933-34.

## India's Trade with United Kingdom 1934-35

The main features of India's export trade with the United Kingdom during the year 1934-35 were an increase in the supplies of both long and short staple cotton and of tea and a decline in respect of coffee, unmanufactured tobacco, oilseeds and raw jute. This is revealed in the report on the work of the Indian Trade Commissioner for London.

The report contains an instructive analysis of trade developments within the group of countries whose currencies are on a sterling basis as compared with those in the countries included in the 'gold bloc'. Two interesting conclusions emerge from this examination —

- (1) The British Empire and the other countries in the sterling group have during the year relatively improved their trade position in the United Kingdom market, and
- (2) the recovery has, generally speaking, been more rapid in this group.

### TRADE WITH BRITAIN

In the year under review the monsoon conditions were generally satisfactory and the exports of Indian merchandise to the United Kingdom amounted to Rs 47.53 crores as against Rs 47.90 crores during the previous year. The total value of the exports of Indian merchandise to all countries during the same period increased by approximately Rs. 5 crores to Rs. 15 crores, as compared with the corresponding period of last year. The total value of the imports into India for the same period increased by approximately Rs. 17 crores to Rs. 132 crores. The imports from the United Kingdom into India during the period advanced by Rs. 6 crores to Rs. 54 crores in round figures. The increased shipments of raw cotton (the increase under this item being Rs. 8 crores as compared with 1933-34) and of tea (the increase amounting to approximately Rs. 29 lakhs as compared with 1933-34) were mainly responsible for the increase in the value of exports during the year under review as compared with the previous year. The total visible balance of trade in favour of India amounted to Rs. 78.10 crores as against Rs 91.96 crores in 1933-34 and Rs 68.15 crores in 1932-33. Of this amount the balance of transactions in treasure (private) including gold, silver and currency notes amounts for Rs. 55.07 crores as against Rs. 57.23 crores and Rs. 64.93 crores in the two previous years respectively.

### INDICATIONS OF IMPROVEMENTS

The Bank rate remained unchanged at 3 and a half per cent throughout the period and, generally speaking, money conditions were easy. A further indication of improvement in business conditions was the increase in the total approximate gross earnings of all State-owned Railways, which advanced by Rs. 265 lakhs to Rs. 89.79 lakhs during the period under report from 1st April 1934 to 31st March, 1935, and in the total wagons loaded on Class I Railways. During the same period the total number of wagons loaded on the broad gauge was 4,167,000 as compared with 3,968,000. (In the metre gauge, an increase of 156,000 wagons was recorded bringing the total number of metre gauge wagons loaded up to 2,674). All these indications, opines the Trade Commissioner, Dr D. B. Meek, point in the direction of progress. No general recovery, however, is possible in a predominantly agricultural country such as India unless the cultivator obtains prices for his agricultural produce or in other words unless his purchasing power is improved. The rural improvement scheme, recently inaugurated by the Government of India on a national scale, therefore, is of great importance and the actual working of the scheme, for which one crore of rupees is being distributed to the Provinces to enable local Governments to carry on the economic development and improvement of rural areas, will be watched with great interest.

Dr Meek does not attempt to analyse the results of the Ottawa Agreement, the working of which has been the subject of detailed examination in India by the Director-General of Commercial Intelligence and also by a Committee of the Indian Legislature.

The main features of the export trade with United Kingdom during the year were an increase in the supplies of both long and short staple cotton and of tea and a decline in respect of coffee, unmanufactured tobacco, oilseeds and raw jute. Indian







As regards other countries, the position regarding the balance of trade is as follows (in crores) for the three years 1932-33, 1933-34, and 1934-35 —

Europe. *plus* 3, *plus* 10 *plus* 5.  
U S A *minus* 1, *plus* 7, *plus* 5.  
Japan *minus* 6, *minus* 3, *plus* 3.  
Other countries. *plus* 5, *plus* 8, *plus* 3.  
Total foreign countries *plus* 1, *plus* 22, *plus* 16.

The grand totals of the balance of trade in India's favour *plus* 4, *plus* 35, *plus* 22.

Imports into British India show the following percentages, respectively, for the years 1913-14, 1931-32 and 1934-35 —

United Kingdom.—64.1, 35.5, 40.6.  
Japan.—2.6, 10.6, 15.7.  
Germany.—6.9, 8.1, 7.6.  
U S A.—2.6, 10.2, 6.4.  
Italy.—1.2, 2.8, 2.3.  
Kenya and Zanzibar.—0.3, 2.9, 2.4.  
Ceylon.—0.4, 1.1, 1.0.  
China.—0.9, 2.2, 1.6.  
Belgium.—2.3, 2.4, 1.6.  
Austria-Hungary.—2.3, 0.6, 0.5.  
France.—1.5, 1.7, 1.2.  
Strait Settlement.—1.8, 2.3, 2.3.  
Java.—5.8, 3.8, 1.4.

Exports from British India for the years 1913-14, 1931-32, 1934-35 show the following percentages —

United Kingdom.—23.4, 27.9, 31.6.  
Germany.—10.6, 6.3, 4.6.  
Japan.—9.1, 8.7, 15.9.  
U S A.—8.7, 8.9, 8.5.  
France.—7.1, 4.8, 3.5.  
Belgium.—4.8, 2.8, 2.8.  
Austria-Hungary.—4, 0, 0.  
Ceylon.—3.6, 5, 4.2.  
Italy.—3.1, 3.4, 3.9.  
Strait Settlements.—2.7, 3, 2.1.  
China.—2.3, 4.9, 1.7.  
Java.—0.8, 1.1, 0.3.  
Kenya and Zanzibar.—1.0, 0.5, 0.3.  
Central and South Africa.—2.2, 1.5, 2.5.

The report next deals with the commodities exported and imported. The report points out that as regards wheat preference was granted in the United Kingdom and Ceylon, but it has been of little value to India owing to her special wheat position. As for rice, the preference was of special importance in view of the contraction of the Far Eastern markets. Attempts are being made to improve the quality of Burma rice so as to make it suitable for consumption in Europe, chiefly in the United Kingdom.

The following is the comparative position between 1931-32 and 1934-35 of exports from and imports into British India of the chief commodities. In these the total value for 1931-32 is taken at 100 and the figures shown are for 1934-35 as compared to the total value of 1931-22.

#### Exports —

Rice, not in husk to all countries 56, to the United Kingdom, 318.  
Lanseed all countries 196, U K. 776.  
Tea all countries 104, U K. 107.  
Tanned hides all countries 93, U K. 93.  
Tanned skin all countries 103, U K. 103.  
Jute manufactures all countries 96, U K. 96.  
Woollen carpets and rugs all countries 158, U K. 158.  
Groundnuts all countries 62, U K. 152.

**Imports —**

Chemicals from all countries 114, from U K. 116  
 Drugs and medicines, all countries 107 U K. 107  
 Hardware all countries 118, U K. 106.  
 Instruments apparatus, etc all countries 128, U K. 135  
 Brass and similar alloys all countries 133, U K. 187  
 Lubricating and mineral oils all countries 86, U K. 87  
 Paints and colours all countries 113, U K. 120  
 Provisions and oilman stores all countries 87, U K. 106  
 Rubber manufactures all countries 93, U K. 201  
 Woolen manufactures all countries 304, U K. 248  
 Motor cars all countries 175, U K. 246  
 Motor omnibuses all countries 182, U K. 178.

It may be mentioned that this year's report, unlike that of last year, is not issued by the director of commercial intelligence but is presented as a Government paper and expresses no opinion and confines itself to a statement of facts.

## The Associated Chambers of Commerce

### Opening Day—Calcutta—16th. December 1935

His Excellency the Viceroy opened the Associated Chambers of Commerce annual meeting at Calcutta on the 16th December 1935 H E Sir John Anderson, and members of the Bengal Government were also present.

The Hon. Mr G R Campbell, President, Bengal Chamber, presided, while Sir John Abercrombie, Deputy President, Bombay Chamber, thanked His Excellency for inaugurating the proceedings and wished him Godspeed.

Asking the Viceroy to open the proceedings Mr Campbell said that he welcomed His Excellency with mixed feelings, because athwart them lay the shadow of the thought that this was the last occasion on which the Chambers would have the pleasure of his gracious presence at their annual meeting. Mr Campbell was confident that he spoke for all when he thanked His Excellency for the great courtesy and consideration he had at all times extended to the commercial community in India—courtesy and consideration which was also extended to them by all members of his Government. And this, Mr Campbell was sure, was in no small measure due to His Excellency's shining example.

Mr Campbell added, "Only a few days ago, after long waiting, we were notified by the Commerce Department that the Railway Board would meet us and Chairmen of Port Trusts and Commissioners of the great ports of India at a conference in Delhi on December 16. The notification went on to say that if this date was inconvenient, the Government of India, in view of their many commitments, feared that they would be unable to hold a Conference until the month of May in Simla. On the assumption that the Government of India knew His Excellency's movements and possibly, therefore, this meeting of ours might be noticed in reflected glory, I ventured to send a personal telegram to the Commerce Secretary saying that the date he had given us had a strong smell of sardines. Not after 13 months, but within 13 hours, I got his reply which said, "Sorry fish got into fruit. Am sending you fresh dates." (Laughter and cheers).

"But I cannot close on a note of laughter, though we may come near to what is akin to it. As I have said, our feelings on this occasion are mixed and while we are happy in once again having His Excellency with us and while we wish him and his gracious lady God-speed, when they leave these shores and many more happy years wherein to enjoy the rest that they so richly deserve or to undertake still more labours of love, our hearts are touched with the most genuine regret that this is the last occasion on which His Excellency will grace this meeting."

### Viceroy's Speech

In opening the meeting, the Viceroy said —

Mr President and gentlemen,—I thank you, sir, sincerely for the warmth of the welcome which you have extended to His Excellency the Governor of Bengal and

myself on behalf of the delegates from the constituent chambers of the Associated Chambers of Commerce of India and the members of the Bengal Chamber of Commerce on this, the third occasion, on which we have had the privilege of being with you at your annual meeting. I assure you that I always look forward to the opportunity of meeting you all here collectively, for it enables me to show my interest in your prosperity and progress and to say a few words on matters which are in my mind and which may, I hope, be some interest to yourselves. Let me add that I think it was hardly necessary, sir, to give His Excellency or myself the assurance of your loyal and unceasing support to ourselves and our Governments in our work. We can both very gratefully say that we have had the fullest evidence of this constant support during the difficult and anxious years through which we have recently passed.

In the first place I wish to associate myself very cordially with every word that has fallen from you, Mr. President, with regard to the great services rendered by Sir Hubert Carr as your representative during all the discussions that took place in London in connection with the new constitution in India and I should like to congratulate you on the very graceful recognition you have shown him of your appreciation of the great work he did on your behalf.

#### ROADS

I referred last year to the constitution of the Transport Advisory Council consisting of the members of my Government concerned, sitting with Provincial Ministers and their advisers and I then expressed the hope that the Council would promote close and regular contact between the Centre and the Provinces in the solution of the difficult problems of transport co-ordination. I am glad to be able to say that the hope has so far been realized and that, at its first meeting the Council adopted with a gratifying approach to unanimity a statement of policy concerning the construction of roads and railways, the control of motor transport and the creation of administrative machinery to promote co-ordination. While I am discussing the question of transport, I must refer briefly to the Indian Roads Congress which was inaugurated a few days before I last addressed you. That inaugural meeting was, I believe, a successful step in the direction of getting our engineers together to exchange opinions and the results of their experience with the object of promoting efficiency and economy in the expenditure on roads. There is no question of the very great need for road development nor unfortunately can anyone suggest that the funds at present available are adequate. In those circumstances, economy and efficiency in the application of whatever money is available has become an imperative necessity. My Government believe that the Indian Roads Congress is an institution which will make for those ends and we have, therefore, decided to delay the cost involved for a further period of two years.

#### CIVIL AVIATION

In Civil Aviation, the most important recent developments have been the duplication of the air mail service between London and Singapore and the inauguration by Tata & Sons Limited of a weekly air mail service between Bombay and Trivendrum with intermediate landings at Goa and Cannanore. This latter service, which connects at Bombay with the existing Karachi-Madras air mail service, will shortly be available for carrying mail as well as passengers and freight.

Now that the Government of Ceylon have provided an aerodrome at Colombo, it is hoped that a further development, namely, the extension of the Tata air service from Madras to Colombo will take place in the near future.

It is regrettable though, I hope, a temporary set-back that the Indian National Airways Limited have been compelled to close down the services between Calcutta and Dacca and Calcutta and Rangoon, which they had successfully inaugurated and operated for 18 months. The former service never had the support from the public which the company had expected in view of the obvious advantages it offered for rapid communication between the two chief cities of Bengal and though on the latter service both passenger and mail traffic showed a steady increase. That increase was not sufficiently rapid to justify the Company in continuing to operate at a loss.

Considerable progress has been made with the programmes for the development of ground organisation to which I referred last year. An order for air route and aerodrome lighting equipment for the Trans-India route and contracts for hangars at aerodromes on that route and on the main feeder routes have been placed and improvements to the existing aerodromes and the construction of new aerodromes are

being carried out. But much of the work in the past year has been of a preliminary nature and before long there will be more material evidence to show what is being done. Important adjustments within the original programme have been necessitated by the early prospect of a greatly increased intensity of the Trans India services. Active consideration is being given to these proposals of His Majesty's Government in the United Kingdom for the speeding up and increase in frequency of Empire Air Services and the carriage of all first class Empire mail by air.

#### JUTE INDUSTRY

The difficulties of the jute industry have exercised the minds of many in Calcutta during recent months. I need hardly assure you that they have also given the Government of Bengal serious and anxious thought and consideration. While we have not been able to see eye to eye with the Jute Mills Association on the subject of restricting output, we are ready to consider any sound proposals that may be put forward for assisting the industry to reach a stronger and more stable position. When, therefore, the Association suggested the sending of a deputation to Delhi to discuss the matter, my Government welcomed the opportunity. As that discussion will be taking place in two or three days' time, you will not expect me to add any further observations on the subject at present.

#### SANCTIONS AGAINST ITALY

You are aware, gentlemen, that India, in fulfilment of the obligations following from her membership of the League of Nations has joined with her fellow-members in imposing Sanctions, financial and economic, against Italy. My Government are fully conscious of the seriousness of the step and of its possible repercussions on India's foreign trade. They view with regret the severance of trade relations, so mutually advantageous in the past, between India and Italy, but they have felt, nevertheless, at this critical point of time that the maintenance of the principle of the Covenant of the League must outweigh more material considerations of profit or loss. The economic isolation of so important an industrial and economic power as Italy must bring in its train a most serious disturbance of world economy, but it will be our endeavour to minimise by every means in our power its effects on India's trade and commerce.

It is impossible yet to estimate what these effects will be. There will be many loose ends to join together and with this object in view, there has been constituted a Special Committee of the League of Nations, whose duty it will be to co-ordinate the efforts of individual States towards a redistribution of the trade which has hitherto flowed in Italian channels. Steps have already been taken to ensure that in the deliberations of this Committee, the claims of India, to the fullest consideration, will be most energetically pursued. It is particularly regrettable that the present crisis should have arisen at a time when the problems of international trade were already so baffling and so complicated still one more obstacle has been placed in the way of world recovery, since whatever stimulus the war in Abyssinia may give in various quarters to industrial and commercial activity that stimulus can only be temporary and must, in its nature, be unhealthy.

These problems to which I have referred have been receiving the careful consideration of my Government, and, in particular, it has been their concern to examine whether the time has yet come to abandon India's traditional foreign trade policy, based, as it is, on reciprocal most-favoured nation treatment in favour of the now popular method of bilateral negotiation. It is impossible for me in the time now at my disposal to set before you the manifold aspects of this complicated question, but I would affirm that nothing in the study of world economic conditions in the past few years or in India's present circumstances has shown that any departure from our accepted policy is necessary. Situated as she is, a supplier for the main part of raw materials and foodstuffs to the great commodity markets of the world and dependent on widespread world demand rather than on particular nations or on particular customers India can ill afford to risk the closing of any door now open to her by virtue of her most-favoured nation rights. She must continue to seek an outlet for her surplus produce in these markets and her interest lies not so much in the conclusion of individual trade bargains, as in the restoration of the free and unrestricted flow of international trade, on which world prosperity depends. The problem before her is one which is common to all trading nations of the world. That problem is, in brief, the rehabilitation of the mechanism of international trade. It

is a problem which India cannot solve by herself but it is one in the solution of which, she should be prepared at all times to give her fullest co-operation.

During the past five years India has passed, in common with the rest of the world, through a period of almost unexampled economic stress. It is therefore a matter of satisfaction to me that in addressing you for the last time, I am in a position to point to some indications of a gradual movement towards economic recovery in the country. The steady decline in the general level of prices, which commenced in the later part of 1929, has now definitely ceased. An upward tendency appears to have set in. There is evidence also that the disparity between the prices of agricultural and of manufactured commodities, which has so seriously affected the purchasing power of the great mass of the people of India, is now less marked than before and that a more balanced price relationship is probably within sight. The progress of industrial development has been well maintained in spite of the general depression and in some cases, notably in the cotton textile industry, greater advances have recently been recorded than at any time in the past. There was a noticeable improvement in the volume of export as well as import trade in India in 1934-35 as compared with the previous year, when the lowest levels in recent times had been recorded and this improvement has since continued unchecked. India's total visible trade now shows a favourable balance which is substantially higher than in the period preceding the war.

Among the most welcome signs of improvement is the material reduction in the burden of interest charges, which is a matter of such deep concern to both industry and agriculture. The rate of interest of Government loans has been reduced to 3 per cent for the first time since 1896 and the bank rate which reached as high a figure as 8 percent in the closing months of 1931 has also fallen to the same level. These developments afford some indication of the progress which has been made towards a general economic recovery. In the light of the facts, I believe that unless there are further disturbances in the conditions affecting world trade and finance, we may now regard the future with a certain measure of confidence.

#### POSITION OF EUROPEANS

When I spoke to you last year, I commented briefly on the position, under the impending Reforms, of the European business community. I emphasised the value of good will in business relations between the members of the different communities and expressed my appreciation of the extent to which this is being increasingly realised. The new Government of India Act is now on the Statute Book and I would like, before I close, to convey to you a few further sentiments relative to your position here which, I trust from my long experience in this country, you will allow me to convey to you and which I hope you will consider and find helpful. Let me say that I feel in common with everyone of you a justifiable pride in the contribution you have made to building up the India of to-day as we know it and in the service you have rendered to this country in many fields of endeavour. You have led where others have followed. By your resource, your perseverance, your industry and your enterprise, India has in many directions enjoyed advantages which might otherwise have been longer delayed in the history of the relations between Great Britain and this country. Yours has, indeed, been an honourable part. What then of the future? In the discussions of recent years, your leaders have shown a keen appreciation of the changing conditions and have made it clear that the Europeans resident here for purposes of trade and commerce fully identify themselves with India's aspirations in their desire to stand in a position of full equality with the members of the Great British Commonwealth of Nations.

I congratulate you on the position you have taken up in this matter and am sure that it is the course of wisdom, but it will not be sufficient that you should merely be well inclined towards the development of new political institutions in India. It will be in those institutions that, in the ordinary transaction of Government business, decisions will be of great importance to yourselves. By means of your own representatives in the new Legislature, you will have the opportunity of influencing those decisions. Sacrifices of time and leisure will be required from those you select to represent you. I have no doubt that, as in the past, your leaders will be willing to come forward and take their part in the public life of the country. It will be their function to voice your interests, but above all things, keep this fact before you, the future destinies of India, her welfare, her progress and prosperity, these are all matters of no less concern to you than to those for whom India is their home and motherland. India's interests are your interests. Wholeheartedly, and in full measure,

may I ask you to associate yourselves with all that leads to the advancement of this country and adds to her position and advancement? If you hold this ideal constantly before you, I am sure you will be fully recompensed in the future.

In conclusion, I am sincerely grateful to you, Sir, for your good wishes to my wife and myself when we leave the shores of India and for your generous expression of regret that this is the last occasion on which I shall attend a gathering of your members. I need hardly say that I regret that fact, too, and I am full of regret that in a few months time, I shall be leaving these many friendships, interests and associations which I have formed during some of the best years of my life in this country. Gentlemen, we have lived through stormy times during the past years, but I think I see the sun shining through the clouds, and my profound hope is that India will once again be on the high road to increasing development and prosperity.

### Proceedings & Resolutions

#### REBATE ON COAL FREIGHT

The House at the conclusion of the opening proceedings, took up for discussion the resolutions on the agenda.

Mr. Aikman (Bengal) moved the following resolution —

"With a view to increasing the export of Indian coal to foreign ports and at the same time providing the serving railways with additional revenue from the consequential increase in coal traffic, this Association recommends the Railway Board to give their serious consideration, in the best interests of the coal trade and of railways in India, to the question of granting a special rebate on coal for export out of India.

"While appreciating Government's action in reducing the surcharge from April 1, 1935 (a) by altering the basic percentage from 15 per cent to 12 and half p c and (b) by subjecting it to a maximum of Rs 1 per ton irrespective of distance, this Association reiterates its opinion that the immediate removal of the surcharge on coal freights in India would greatly benefit the industrial interests of the country as well as the interests of the coal trade. This Association, therefore, resolves that the Government of India be called upon to issue directions for the entire withdrawal of the present surcharge on coal freights and that such withdrawal should not involve any increase in railway charges in other directions."

Mr. Aikman reminded the meeting that India had, at her doors, large markets for her coal in Ceylon and the Far East. After the War, the Government of India, for certain reasons, placed an embargo on export of Indian coal, so that exports for the three years 1911-13 which had an average of three lakhs of tons annually to the Far East and five lakhs of tons to Ceylon fell to the annual average in 1922-24 of 11,000 tons to the Far East and 1,23,000 tons to Ceylon. The South African Government, meanwhile, had appointed a Coal Commission in 1920 and the report of the Commission lent its energies deliberately and systematically to the task of promoting the export trade of African coal. The measures adopted were compulsory grading of coal and paying bounty by adjustment of railway freights on export of coal and indirect subsidisation of sea freights by extending the bounty to bunker coal utilised by ships, carrying of cargo of coal to foreign ports and the employment of Government ships for carrying private cargoes of coal. What they asked was special reduction in rail freight on coal shipped to foreign ports only. Mr. Aikman emphasised that increased traffic would be derived from fresh outlet for Indian coal, which would be beneficial to the coal trade and Railways alike. To achieve it, it would be necessary for railways to take active steps, instead of following their usual apathetic policy towards coal.

Mr. J. A. McKerron (Bengal) and Rai Bahadur P. Mukherji (Punjab Chamber) supported the resolution, which was carried.

#### CUSTOMS TARIFF

Sir John Abercrombie (Bombay) moved the following resolution on customs tariff —

"That this Association is of opinion that a general revision of the Customs tariff should be undertaken at the earliest possible opportunity, and that the objects of such revision should be firstly simplification, and secondly the lowering of Customs barriers which at present form a serious obstacle to trade recovery."

Sir John congratulated the Government on passing the Indian Tariff Act of 1934, a measure that had gone a long way towards securing simplification of Tariff. It had enabled India to embody in her tariff nomenclature and logical scheme classification of commodities evolved by the Economic Committee of the League of Nations. The



speech of the Finance Member during the last Budget session seemed to indicate that the Government had in mind some further steps towards simplification. It was impossible for India to attempt to adopt a policy of isolation, since the very existence of her agricultural population depended upon international trade and the restriction of her export trade affected the livelihood of hundreds of millions. India had adopted a policy of protection for her industries and he wished to make it clear that his Chamber had always supported protection of those industries which had satisfied the Tariff Board that they fulfilled the fundamental principles laid down by the Indian Fiscal Commission.

Proposing a general revision of present duties, Sir J. Abercrombie suggested that the first move should be in the direction of lowering duties on goods which were not produced or could not be economically produced in India. Secondly, he would encourage the importation of goods which did compete with locally manufactured goods, provided fair treatment was accorded to the existing local industries and that reciprocal consideration was received from selling countries and India's balance of trade was favourably affected thereby.

Seconding the resolution, Mr J. A. Edwards-Evans (Bengal Chamber) said that with regard to the first part of the resolution, he expressed appreciation of the Indian Tariff Act of 1934, which removed many difficulties in interpreting tariff which were experienced by importers in the past. There still remained anomalies which caused hardship to merchants and which, he felt, were not contemplated by the Government, when the tariff was framed. As regards the second part of the resolution, he endorsed the views expressed by Sir John Abercrombie.

Mr H. S. Beggwether (Karachi Chamber) moved the following amendment: "After the words 'and that in line 4 the following be added' 'subject always to necessity according to reasonable protection of Indian Industries and that objects etc., etc."

Rai Bahadur P. Mukherji (Punjab) seconded the amendment and the resolution, as amended, was carried.

#### DUTY ON KNITTED GOODS

Mr J. G. Ryan (Upper India Chamber) moved —

"This Association records its view that the levy of a specific duty of 12 annas per lb on cotton hosiery under items 51 (2) and 51 (3) of the tariff schedule has failed to serve the intended protective purpose, in view of the very low rate of duty at 35 per cent leviable on non-British knitted apparel and 'hosiery not otherwise specified' under item 52 and urges that in the interests of both the Indian industry and British trade the specific duty of 12 annas per lb or 15 per cent, whichever is higher, should be levied on all knitted cotton goods of non-British origin by suitable action under Section 4 (1) of the Indian Tariff Act XXXII of 1934."

Mr Ryan pointed out that this question had been the subject of representation to the Central Board of Revenue in one of its aspects and also of representation to the Government of India Commerce Department in a larger and far more important aspect of inadequacy of the present Act to prevent evasion in the manner wherein it had now been carried on. Although they were grievously disappointed that the Bengal Chamber would be unable to second the resolution, he hoped that they would accept it. He referred to the report of the Tariff Board 1932 which showed that the Board after examining the case of cotton and hosiery industries, recommended protective import duty on all knitted cotton goods. As was apprehended by the industry, Japanese knitted goods, furnished with various devices previously unknown in the Indian market, began to pour in. The position now was that Japanese undershirts, with collars or pockets, were being landed in India in enormous quantity at prices much cheaper than those for simple undershirts without collars, which was adequately protected by specific duty. Similarly, pieces of knitted cloth, in untailored form, landed in India at prices higher than those garments in slightly altered form could enter the country at a lower rate duty. The effect of this on the industry was nothing short of disastrous. His Committee understood that the Government of India were by no means unsympathetic in the matter and were seeking an adequate method of preventing evasion. The adoption of this resolution would serve a very useful purpose by strengthening the hands of the Government in dealing with the matter.

Rai Bahadur P. Mukherji (Punjab) seconded the resolution and Mr Edwards-Evans (Bengal) supported.

Sir John Abercrombie (Bombay) moved an amendment that after the word 'purpose' in line six, the following be added: "but because there is no alternative of speci-

do duty' and delete the words in view of the very low rate of duty at 35 per cent leviable on'

The resolution as amended, was carried

#### ROAD TRANSPORT

Mr W K M Langley (Cahout Chamber) moved —

"That the Railway Board be urged to seek the co-operation of Provincial Governments in securing powers to construct and maintain feeder roads, over which the railways would be given rights of control of transport for a limited period at the expiry of which the roads would revert to the Provincial Governments.

Mr Langley referred to "out-throat competition among bus services, which were of low standard, adding that what one liked to see was complete revision of the Government's policy and programme of construction of feeder roads and removal of restriction on railway bus service and such tightening up of general restriction on bus traffic as to permit railways to compete legitimately with privately owned buses

Sir William Wright (Madras Chamber, and Mr G H Cooke (Bombay) supported the resolution, which was carried

Mr J A McKerron (Bengal) moved —

That action (a) on the Road-Rail Conference Resolution regarding the co-ordination of motor taxation, and (b) to secure the unification of the motoring laws in British India, should be taken without delay

After discussion the resolution was withdrawn as the Association wanted to have an opportunity of placing their views before the Railway Board

#### DUTY ON SOUTH AFRICAN COAL

Mr G Morgan (Bengal) moved —

"Having regard to competition with which Indian coal has been faced for years past and is still experiencing from imports of coal from South Africa, this Association is of opinion that Government should impose a countervailing duty of Rs 1 8-0 per ton on imports of South African coal into India in addition to existing revenue duty of 10 annas per ton on foreign coal

Mr Morgan referred to last year's resolution regarding increasing import duty on foreign coal, when recommendation was rejected by the Government. They felt, however, entitled to ask for a countervailing duty on African coal only

Mr Langley (Cahout) and Mr K MacGibbon (Burma) supported the resolution, which was carried

#### SURCHARGE ON INCOME-TAX

Mr G H Cooke (Bombay) moved —

"In view of the assumption of the Parliamentary Joint Committee that the power which it is proposed, in accordance with the recommendation of the Federal Finance Committee, should be conferred on the future Federal Government and Legislature, to impose a surcharge on taxes on income, should only be exercisable in times of serious financial stress and considering the importance of ensuring that, before the inauguration of Federation, the power to levy such emergency taxation should be in reserve, also bearing in mind their indirect effect on the revenues and the budgetary position of Provincial Governments, which it is essential should be placed on a sound basis before the introduction of Provincial Autonomy this Association again urges on the Government of India the early abolition of the present surcharges, not only on income-tax, but also on Customs duties which were imposed in 1931 to meet a financial emergency which was now largely passed

Explaining the necessity for removal of surcharges, Mr Cooke pointed out that whilst they rejoiced that the Government had found possible to restore fully pay cuts, they opined that it was inequitable to restore cuts without relieving trade interests of more than one-third of the surcharge on income and super tax. Secondly, they could not regard the continuance of taxation by means of surcharge without very serious misgivings, especially in view of the constitutional changes. In the opinion of his chamber, it was never a wise policy of receiving revenue because it must, by nature of its using indiscriminate, disregard the vital requirements of many existing potential avenues of producing trades and industries, in whose interests they assembled there.

Mr A. Ashman (Bengal) seconded the resolution.

Mr *E. MacGibbon* (Birma), supporting, moved a rider to be added at the end of the third paragraph, 'In India and before the Separation of Burma.

Sir *William Wright* (Madras) moved an amendment which was withdrawn on the understanding that the rider dealing expressly with the effect of the principal resolution on sugar industry be included when the terms of the resolution were communicated to the Government that Statutory protection to the industry be maintained.

The resolution, with the rider, was carried.

#### STANDARDIZATION OF WEIGHTS AND MEASURES

Rai Bahadur *P. Mukherjee* (Northern Indian Chamber) moved —

"This Association urges the Government of India to appoint a Committee to inquire into and report on the possibility of any action which could be taken with the object in view of the complete or partial standardization of weights and measures throughout India.

Mr *Mukherjee* opined that the matter was of supreme importance to the progress and well-being of India and the immense difficulties which undoubtedly lay in the way of all India standards actually in use throughout the country must not be allowed to stand in the light of the economic reform so urgently needed as this was.

The resolution was opposed and lost on division.

The Chambers passed another resolution moved by Mr *J. R. Farquharson* (Bengal) and seconded by Sir *John Abercrombie* (Bombay).

All Constituent Chambers were represented, among others, by Mr *W. K. M. Langley*, representing Cochin, Coimbatore and Calicut, Mr *Cooke* and Sir *John Abercrombie*, Bombay Sir *William Wright* and Mr *G. L. Orchard*, Madras, Messrs. *Mukherjee* *J. H. Blackwell* and *U. N. Sen*, the Punjab.

#### RAILWAY RATES BOARD

Mr *R. J. Gavin Jones* (Upper India) moved —

"That in the opinion of this Association, economic recovery of India is intimately bound up with adjustment and co-ordination of railway goods traffic to ensure development of internal and export trade and that the conference held in Delhi on July 29 failed to consider this vital and important aspect of the question which was placed before this Association in resolution moved by the Upper India Chamber of Commerce on December 17, 1934 and unanimously adopted. This Association therefore calls upon the Government with this purpose in view to take immediate steps to obtain from the Railway authorities the necessary data and to appoint a special committee with which commerce, industry and agriculture should be associated to enquire into the matter and if found advisable to appoint a permanent Railway Rates Board for all India."

Mr *Gavin Jones* said that what was required was a railway rates tribunal for the whole of India to which representation with regard to freight charges could be submitted for consideration by experts and also a system wherewith railways would be able to earn a reasonable profit and at the same time assist in the development of internal trade and export.

An amendment was moved deleting the words in line 15, 'With this purpose in view to and' in line 18 adding in line 18, after the word committee, 'with full powers to investigate and' etc.

The resolution, as amended, was carried. The meeting then adjourned.

## The Travancore Chamber of Commerce

"India is linked to the United Kingdom by ties of Empire, of sentiment, exchange, control, banking and commerce, and any improvements in conditions in the United Kingdom or the Empire at large are inevitably reflected in the trade of India. So despite all the obvious obstacles to trade—very few of which are peculiar to Travancore—we may look forward with confidence to the future," observed Mr *N. G. Haydon*, President of the Travancore Chamber of Commerce, in the course of his address at the annual meeting of the Chamber, held at Alleppey on the 26th September 1935. Mr *Haydon* put in a strong plea for adequate protection to the Indian

coconut industry and for safeguards in the interests of capital in any scheme of debt redemption and reduction legislation that might be undertaken by the Government. In the course of his address Mr *Haydon* said —

We have several times brought to the Government the need for representation on the Legislative Council and we have the assurance of the Government that the matter will be sympathetically considered when a revision of the electoral constituencies of the legislature is made. This question is a matter of great importance, particularly, as the Travancore Government proposes to introduce several Bills upon which it is essential, in the interests of the State and in the interests of Commerce and Banking and Labour, that the Travancore Chamber of Commerce should be represented. I refer to legislation in connection with Workman's Compensation, Trade Disputes, legislation in connection with Trade Unions and Factory Regulations and, in all probability, legislations in connection with some form of Debt Redemption Scheme.

In regard to the four Bills involving the interests of employers and employees, having studied these, I think it will be found that for the most part we shall be in a position to support the Bills, subject to certain minor amendments and subject to an assurance from Government that the various Acts, when passed, will be administered by men of exemplary character. To give one indication of the type of amendment I should certainly regard as essential, I will refer to the Factory Regulation wherein it is specified that every District Magistrate shall be an Inspector for his district. There are two very vital objections to this. (1) District Magistrates have no experience in administering Factory Regulations. A Factory Inspector should have a certain amount of engineering knowledge, should have some of the attributes of a health officer, should have considerable knowledge of industries, some of economics, and lastly he should have time to do his work efficiently. (2) That a District Magistrate should be appointed as a Factory Inspector would only mean that his judicial work would suffer and that his work as a Factory Inspector could not be satisfactory. The laws delays are already a blot on the fair name of Travancore and nothing should be done which will render matters worse than they are at present.

During the past year there has been a very determined attempt on the part of pseudo labour leaders in Travancore to disturb the happy relationship existing between the work people and the employers by a campaign of vilification. Happily the response from the workers to this campaign has been very meagre, but the position might well have been very serious indeed and strained relationship already existed between employer and employee. I need hardly say none of our members are against the establishment of sound trade unions—a separate union for each industry—indeed it would very much facilitate negotiations, but it is quite impossible for employers to negotiate with a Union claiming to represent all the labourers in Travancore in their multifarious types of employment and claiming, I see from the Press, a membership of only 4,000 from a population of over five millions. The Travancore Government Bills for regularizing, controlling and, perhaps, assisting in matters concerning Trade Unions and Trade Disputes is a step in the right direction provided it is administered by an officer of Government specially trained in such work.

The question of the serious delays which occur in Travancore in the administration of justice has, for years past, been a matter of representation from this Chamber to the Travancore Government but no progress can be reported. It may be that the new Chief Justice, fresh from his ripe experience elsewhere, will infuse a new spirit into the Courts.

Dealing with the question of agricultural debt Mr *Haydon* said —

The views of this Chamber briefly are these. That there is a case for the assistance of the poor ryots—growers of paddy, coconuts, etc.—in the redemption of their debts and that if anything can be done to assist them without working hardship on other sections of the community and without destroying credit it should be done. These poor ryots, however, are not clamouring for help. The agitation for debt redemption legislation and debt reduction legislation emanates from a certain type of rubber and tea estate owner who, having lived through years of great prosperity, failed to make any provision for the future, dissipated the great profits earned by the estates in very prosperous days, borrowed and secured credit to their utmost capacity and are now adopting the attitude of much injured individuals. For this type we can have no sympathy save sorrow that men who have commanded fortunes should have been so shortsighted as to dissipate them so foolishly and to make no provision by way of reserves out of large profits against the possibility of lean years.

May I here say that this clamour for debt redemption has no support whatever from Mr T. Krishna Aiyar, B. A. B. L., President of the Alleppey Chamber of Commerce, President of the Indian Planters' Association of Kerala and President of the Indian Tea Planters' Association.

There is a suggestion that arbitration boards should be appointed in connection with agricultural indebtedness. Needless to say such arbitration boards can only prove a failure and the delay caused in hearing hundreds of thousands of cases would probably add many years to the delays which already take place in the Courts.

There is a false impression abroad that the majority of the debts involved are those between bankers or money-lenders or coast agents and the estates, but this is far from the fact. Unfortunately, the biggest class of creditor is not sufficiently articulate to make known the seriousness of his position. I refer to the grain and piecegoods merchants to whom the agriculturist directly or indirectly owes far more than he owes to banks or coast firms. One of our members informs me that four grain merchants in Alleppey alone have outstandings to the extent of 50 lakhs. From this the total figure due to the bazars of Travancore from the agriculturists can only be surmised and a false step in the matter of legislation at this juncture may well involve a cataclysm of bankruptcies involving the collapse of the banking system and ruin of the State. No legislation should be introduced which is likely to impair the confidence which the public have in the banking system of the State.

Let us examine the position to day. As the result of the moratorium suspending the operation of the Courts in connection with agricultural debts and loans on immovable property, the sanctity of practically all contracts in Travancore has been violated. Further violation of the sanctity of these contracts is contemplated in the form of debt redemption and reduction legislation. Thus, as the President of the Indian Planters' Association has rightly pointed out, is tantamount to a declaration of general bankruptcy. Capital is already fleeing from the State. Neither business nor agriculture can be conducted without capital and unless some one has the wisdom to cry 'Halt' the condition of the industries and the agriculture of the State in a few years time can better be imagined than described.

Another subject which has engaged the anxious attention of this Chamber for sometime past has been the question of the serious effect on the prices of Indian produced copra, coconut oil etc., as the result of the importation of foreign copra. Not only has this importation seriously affected the coconut growing industry but it has had repercussions in connection with groundnuts industry and sesame industry as may be seen from the fact that this year's groundnut acreage has been reduced by no less than 26 per cent and the sesame acreage by 14 per cent with the prospect of further reductions next year. Ceylon and Singapore copra is being imported into India in vast quantities to the ruin of the Indian industry. Indian grown copra is being produced at prices below the cost of production—prices which literally mean starvation to the population and such neglect of cultivations that crops are becoming smaller and smaller. Meantime, groundnuts, the price of which in India is unattractive, which are grown in India and are for many purposes a suitable substitute for copra are being exported from India.

The Provincial and State Governments in India have been obliged to afford relief to agriculturists by remission of taxation. Certainly in the case of coconut and rice-growers such remission would not have been necessary had foreign importations been regulated by a reasonable tariff policy. These remissions of taxation virtually amount to the Indian Government subsidising the Ceylon copra industry. This Chamber does not support an embargo on importation of foreign copra. All that is asked is that the Government of India should impose on foreign copra a duty sufficient to ensure that foreign copra shall not enter India at prices below the cost of production in India plus a reasonable margin of profit.

The Government of India caused a Sub-Committee of the Imperial Council of Agricultural Research to meet in January and investigate the claims we have so often advanced for protection. The fact that that Committee representing all interests involved, some of whom might have been expected to oppose the duty on imported copra, were unanimous in their recommendation to the Government of India for a specific duty to be imposed is sufficient to warrant the immediate imposition of the requisite duty. Unfortunately, the wheels of Government grind slowly and till this date, despite further representations from other bodies deeply interested in the matter (whose co-operation we gratefully acknowledge) the Report of the Committee has not yet been published and the Government of India have not indicated what action they propose to take. Meantime a position is deve-

loping in this part of India which, whether viewed from the point of view of agriculture, commerce or from a political angle, cannot fail to cause grave anxiety to those who are best in a position to form judgment.

As you are aware, the Port of Alleppey has given us many anxious moments during the past year owing to sand accretion and but for the timely action of the Travancore Government in sanctioning and putting in hand promptly an extension of the Pier, the Port by this time would probably have ceased to exist. The Pier has been lengthened by 200 feet and was fortunately ready in time to handle shipments as the old Pier ceased to render service. Our thanks are due to Government, the Principal Port Officer and the Public Works Department for expediting this work. Accretion has not ceased and recommendations have gone forward to Government for further extension of the Pier and for the provision of a tug, a dredger and a boat basin.

Every country in the world, with the exception of our best customer, Great Britain, is indulging in a great endeavour to be self-supporting, to do without imports or at the very least to establish a sound trade balance, with the result that we are faced with quotas, block accounts, restrictions, compensating barter business, higher tariffs, manipulated exchanges and, in fact, every possible type of obstacle to free trade. That, despite these difficulties, trade is proceeding with reasonable normality is a tribute to the tenacity and spirit of our exporters. Meantime trade treaties are being negotiated between the Government of India and various other Governments which from the point of view of India as a whole, will presumably be beneficial but the position of the Indian States is very different. These treaties bind the Indian States but, speaking generally, the benefits derived from these treaties are limited to British India. So far as we know no arrangements are being made either to ensure that Travancore interests are safeguarded or to enter into independent commercial agreements. I would commend to the notice of the Government of Travancore that there is only a certain amount of world trade available and that there is the serious danger that the International Treaties which are now being concluded may eventually leave very little residue for Travancore.

For the work of the Trade Agent in Bombay I have nothing but praise, but the opinion I have formed is that the scope of his powers and activities is too limited and much greater use could be made of his services. I feel that it behoves the Travancore Government to set machinery in action which will ensure sound trade representation abroad, as Mysore is reported to be doing.

Now what of the future? What has the year in store for us? Facing facts boldly we must admit that business may not be any easier in the future than in the past. The rampart of tariff walls and restrictions becomes stronger. So far as Travancore is concerned it is essential that the banking and credit facilities of the State should be established on a more satisfactory basis. The Travancore Government is to be congratulated on adopting a 'forward' policy in connection with the industrial development of the State and the provision of cheap electrical power, but the Government should not fail to profit by their own past experience and by the study of the successes and failures of industrial enterprises in neighbouring States. The recent electoral reforms appear to have given general satisfaction and freed from all sense of grievance the people of Travancore must unitedly strive for the advancement of the prosperity of the State. Two great industries of Travancore—rubber and tea—have taken the necessary steps which, it is confidently hoped, will eventually solve their difficulties. The producers of cocoanuts and rice are not so influential or well placed and are very dependent upon Government action for the restoration of prosperity. The coconut industry cries aloud for protection and I am convinced that had the coconut gardens but been in the proximity of New Delhi the present conditions would not have been tolerated so long. We are at a geographical disadvantage.

The coir mats and matting industry continues to lack the necessary organisation to render it productive of the large profits which should be possible in what is practically a monopoly—a state of affairs we hope may soon be overcome. Steps are being taken in the right direction.

A very bright feature indicating better times ahead is the very definite sign of trade revival in the United Kingdom where we see unemployment is vastly less than it was a year ago. Railway receipts—a good thermometer of trade temperature—are up. Great strides have been taken to rationalise and rehabilitate the coal industry—Britain's trade backbone—these strides include the extraction of petrol from coal on a large scale, commodity prices are higher and there has been a wave of new capital. Notation of a record nature. British imports and exports month by month show

steadily improving figures and British revenue receipts show a sharp increase. India is linked to the United Kingdom by ties of Empire, of sentiment, exchange, control, banking and commerce, and any improvements in conditions in the United Kingdom or the Empire at large are inevitably reflected in the trade of India. So despite all the obvious obstacles to trade—very few of which are peculiar to Travancore—we may look forward with confidence to the future. The commercial community of India have during the past few years faced and solved trade problems after trade problems and are ready to grapple with such problems as may arise during the coming year. The experience we have gained has demonstrated to us that obstacles to trade, which seem insuperable when viewed from a distance, diminish in magnitude on closer acquaintance. We face the future with confidence born of tradition, justified by experience and strengthened by determination.

## The Indian Workers' Conference

A joint conference of the All-India Trade Union Congress and the National Federation of Trade Unions, which was held at Bombay on the 4th & 5th. August 1935, adopted the following resolutions —

It is the considered opinion of the Conference that the new Government of India Act is more retrograde and reactionary than the J P C Report and concerned in a spirit of distrust of the Indian people, providing neither for self-government nor basing itself on democratic principles. The representation given to Labour is utterly inadequate, falling far short of the representation given to landed and commercial interests through special or general constituencies. It holds out no prospect to the Indian masses and working classes of ever securing an adequate and effective voice and control in the legislature and the administration of the country, and, therefore, it is unacceptable.

The Conference holds the view that no constitution will meet the requirements of the Indian masses and working classes, or satisfy their legitimate aspirations, or allay the present political economic discontent which is not designed to endow India with the status of a self-governing country, based on democratic constitutions.

The Conference viewed with great alarm the present deplorable plight to which the industrial workers of India have been reduced by methods of nationalisation and policies of wage-cuts and retrenchment adopted by employers. The Conference, therefore, recommends to the Joint Labour Board to take such steps as are necessary to increase the organised strength of the workers and check the employers' tendencies to effect wage-cuts.

The question of the protection of industries should be re-opened and a detailed enquiry into the results of the protection given so far to various industries should be held in order to find out inter alia whether the grant of protection had improved the workers' standard of life or created more employment. The enquiry should also consider whether the continuance of protection should not be made dependent on those industries adopting a satisfactory standard of wages and other working conditions. The Conference was also of the opinion that minimum wage fixing legislation should be introduced particularly for sheltered industries, and those other industries where a workers' organisation did not exist, or was too weak to resist employers' attack on this standard of life.

The Conference condemns the present repressive policy of the Government, particularly the use of emergency power and other such legislation against Labour organisations and workers. The Conference, therefore, recommends to the Joint Labour Board to take effective steps to protect those who fall victims.

The Conference views with alarm the growth of unemployment and urges that immediate steps should be taken to increase employment by the adoption of suitable schemes, and urges the Government of India to introduce unemployment insurance and health insurance schemes and the forty-hour week in all industries.

The Conference condemns the attitude of the British Labour Party towards the employment of Indian seamen on British owned steamers. The Conference also urges the formation of a Standing Committee for labour legislation, the establishment of an Industrial Council in accordance with the recommendations of the Royal Commission, and protests against the firing at the Kolar Gold Fields and demands a public enquiry.

# The National Trade Union Federation

The second session of the National Trade Union Federation opened at Nagpur on the 29th December 1935. Mr Jamsadas Mehta presiding. Prominent among those present were Mr N. M. Joshi, Mr B. Shiva Rao, Mr R. R. Bakshale, Mr S. C. Joshi and Dr P. P. Pillai, Director, I. L. O., New Delhi Branch Trade Union Congress members. Mr R. S. Ruiker, Mr Numbkar and five others also attended.

In the course of his presidential address, Mr Jamsadas M. Mehta said —

It is gratifying to note that we are slowly but steadily expanding both in the number of Unions affiliated to our Federation and in the membership of these Unions, and that we are the strongest and the most broadbased central organisation of Labour in India.

While this increased strength of our Organisation is gratifying I cannot too deeply regret that the efforts towards unity made by us three years ago, supported by more than one hundred unions in the country, did not result in the unification of the Trade Union Congress and ourselves. It has been realised by the majority of the workers in the two organisations that the points of difference between us are far too few and the points of contact are far more frequent. It is, therefore, the path of wisdom for us all to see that the points of contact are multiplied and exploited to the best possible advantage of the workers and that the points of difference, if they cannot be got over, are not allowed to embitter our relations towards each other. The Joint Labour Board has paved the way for an eventual consolidation and we are likely to go further ahead towards that goal in this city of Nagpur. The unhappy split of 1929 occurred here and it will be in the fitness of things that Nagpur should apply the healing balm.

## LABOUR PARTY FOR INDIA

But even a united front on the economic side will not be enough. In a subject country the worker, along with the rest of his fellow-countrymen, shares all the disabilities and humiliations of the conquered race. He cannot hope to ameliorate his conditions to any material extent except with the help of the State, but the State in India has loyalties outside the Indian frontier. The interest of Indian Labour in securing the control of the State is, therefore, very great, at least as great as the interest of any other section of the community. Whilst the Trade Unions must remain the agency primarily for pressing forward the economic claims of the working class it would be suicidal for them to pin their faith only in the economic side of the struggle. Capture of political power is the "sine qua non" of a real betterment of their status and Trade Unions should give all their support to the political side of the fight within the limits permitted by the Trade Union Act of 1926. I am visualising, in a not distant future, the formation of a country-wide Labour Party in which the Trade Unionist, the Socialist and the Co-operator will combine to fight for the political and economic rights of the masses. We cannot expect the Indian National Congress to become a purely labour or socialist organisation. The Congress is chiefly intended to offer a nationalist front to the foreign master. In the nature of things the Congress must retain this destructive role. If it is to maintain its influence it must stick to its mission, which is nothing less than the consolidation of the classes and the masses in support of the political freedom of the country. It would therefore be impolitic to attempt to turn the Congress into a class organisation. It must stand as the symbol of a free India and while the anti-imperialist struggle of the Congress holds the field the cleavage of class interests should be deliberately kept in partial abeyance inside that body. What applies to the Congress applies more or less to other national political parties. To the extent that the conflict is inevitable, the Labour Party of the future should independently carry it on supporting the Congress and other nationalist parties on the political issues as far as possible.

## UNITED FRONT

A vigorous Trade Union activity based on the united front between ourselves and the Trade Union Congress on the one hand, and the capture of political power through a Labour Party on the other, should therefore be made the two immediate objectives of the working class in India. We cannot look to Government for material assistance in either direction. We have some beneficent measures in force like the Trade Union



Act, the Factories Act, the Workmen's Compensation Act and the Mines Act, shorter hours of work and weekly rest are also in force in some industries. We are grateful for these small measures but they are likely to give a deceptive appearance of Government sympathy towards the workers such an illusion will be quickly dispelled if you look a little below the surface. The Royal Commission on Labour made a moderately progressive report some five years ago, but except in one or two important matters and in small details almost all its major recommendations have been placed on the shelf. We are still far away from the immediate world idea of a 40 hours week. The fixation of a minimum wage or anything remotely approaching it remains as distant as ever. Social insurance has made a bare beginning in some places. The working class housing is still primitive, there is no provision for free compulsory education of the workers' children, sickness and invalidity find the workers without means or resources and there are no old age pensions, but the saddest thing in India to-day relates to unemployment. It is impossible to speak with restraint about the apathy of Government in this matter.

There is very little Communism in India if at all, and even that would quickly disappear if the Government and the employers evinced a sincere desire for the welfare of the workers and bodily supported the growth of genuine trade unionism. It is a matter for deep regret that we can discern no such signs. The meagre contribution of Government towards the amelioration of the workers' lot is largely a pose made to save its face at the International Labour Conference. For practical purposes Government's solicitude for Labour is for Geneva's consumption. It has yet to prove that it is conscious of its obligations to the toiling masses.

Whilst the State in India is thus timidly grappling with the rudiments of social justice, the Indian employer is in a far worse predicament. He is not even conscious of the gravity of the problem confronting him. He might well be living in the 18th century. That with four million industrial workers in the country the number of trade unions recognised by the Indian employer can be counted on the fingers is a sad proof of the primitive conception of industrial relationship in our country, there is little wonder that industrial peace is so precarious in India, and when trouble comes, the employer relies on the police and the armed forces of the State to take him out of the scrap. This is a most humiliating position and Indian employers would do well to establish industrial relations on something more rational than the coercive machinery of the community.

#### THE NEW CONSTITUTION

So much, in brief, on the economic side. On the political side we have now the Government of India Act, 1935; and the less one speaks about it the better. Mistrust, if not insincerity, is written large on every page of that piece of legislation. You will search in vain in the four corners of that Act for any transfer of power to the people. In almost every chapter and every section, powers are denied, withheld and hedged round with safeguards until the safeguards have swallowed even the semblance of what power for the people there may be in the Act. Our Federation has analysed the new Constitution with such precision and has condemned it with such thoroughness that I do not wish to add anything of my own.

The new Constitution has been made worse by the provisions about franchise and electorates. Instead of being an instrument for advance towards freedom, it is calculated by the clash of sectional, communal and special interests which it fosters, *infinitely* to retard the building up of a truly national life, worse still, the introduction of this truncated democracy has been preceded by the enactment of several repressive legislative measures, both Provincial and Central.

This, then, is the economic and political situation, the masses are crushed by taxation, poverty and unemployment, employers as a class, including Government, are not prepared to give them a square deal. What is it that Labour in India should do in the face of this combination of adverse circumstances? Is it any good relying on the support of the masses in Great Britain? Could the Labour Party be trusted to come to our assistance? The reply to the last question must be an emphatic "No". It is true that the working class movement in Great Britain is powerful and effective in opposition to some extent but it is incapable of becoming a Government both in office and in power. This has been twice proved during the last eleven years and it is still true to-day.

Our main duty, therefore, lies in India, workers must work out their own destiny and it is only in proportion to their strength but they will be heard.

The half a dozen representatives of Labour in the Provincial Legislatures and a few more in the Federal Legislature could make a very bold and vigorous stand for our rights and privileges. This opportunity is small but it is not to be despised.

But here again we have to place our own house in order. If our movement is weak or disunited even the little that can be attempted will become impossible. We have, therefore, to work with energy and devotion to build up a powerful movement both inside and outside the Legislatures. There are about four million industrial workers in the country. The majority of them are not yet organised into unions, those that are organised are divided and, therefore, unable to exert their full influence in the shaping of events. The first and foremost thing to be taken in hand is to bring every industrial worker under a Trade Union and this is the most difficult as it is the most essential task. Nothing tangible, nothing substantial can be done for Indian Labour until the Trade Unions become free from the tinge of personal political exorcismos with which they are infected to-day.

But neither the Indian Employer nor the Government nor our own weakness can indefinitely continue to keep Labour out of its inheritance. The establishment of the International Labour Organisation at Geneva and participation therein by almost all the big and the small powers is a recognition of this undeniable truth. The principles embodied therein are now the stock in-trade of European opinion on industrial relationship and these principles should be steadily kept in view in organising the relation between capital and labour in India on a new basis. A start may be made by holding an annual tripartite Conference at Delhi, Bombay or Calcutta where about a dozen representative industrial men belonging to the various industries should meet an equal number of Labour delegates from those industries, the State should be represented by one delegate from each Provincial Government and three delegates from the Federal Government. Indian States who desire to be affiliated to this Conference on a similar footing should be allowed to do so. This Conference should have an annual session and a permanent secretariat. Its business should be—(1) to imitate and examine proposals for Labour legislation, (2) to encourage co-operation and understanding among those concerned with Labour policy, (3) to dispose of complaints of breaches of any agreed policy on the part of Government, Industry or Labour and (4) Generally to act as the Bureau of Information and Research in Labour matters for the whole country.

The Conference should be self governing in its international administration and while its decisions will not be mandatory, they should carry an obligation with them that both the Provincial and the Federal Governments and the Indian States should submit those decisions for rejection or adoption by their legislative bodies within a specified time.

#### TWO KNOTTY PROBLEMS

Two of the knottiest and toughest difficulties in the way of our getting together have been found to be the questions of participation in the International Labour Conference at Geneva and the question of International affiliation which will now include affiliation to the Asiatic Labour Congress also. Foreign affiliations with the full knowledge of their limitations should be cherished. They furnish a common meeting ground for working class representatives from the different countries, offer opportunities for exchange of views and for the study of conditions and are not without their reaction on public opinion in those countries. What applies to those affiliations equally apply to the affiliation to the Geneva Conference. Indeed in one respect Geneva is better fitted to bring practical results as Governments are also represented there. The process of conversion is, no doubt, slow but an impartial examination of the results of the last nineteen Conferences will completely vindicate international collaboration in industrial matters. What little of trade unionism exists or is tolerated in this country is largely due to the existence of Geneva casting its halo over the Government of India, among the Conventions which that body has adopted you will find questions which have been in the forefront of Labour demands all the world over, Geneva has solved quite a fair number of them, it is earnestly grappling with an equally large number and above all Geneva is the source of new ideas which become the starting point for fresh concessions to the demands of Labour. Take the question of unemployment alone. It is Geneva which has developed the idea of unemployment insurance and forced on States and Communities a revaluation of their responsibility with regard to the unemployed. School going age is being raised in countries to prevent the youthful section of the community from flooding the employment market at a very early age, the age of retirement from active employment

is being brought down also to relieve competition for employment, hours of work are being reduced to permit a large number being employed for the same volume of work and above all work is being created as being the right of every human being and millions are being spent to secure employment. Most of these ideas are Geneva's creation. For these reasons I believe affiliations to the International and to the Geneva Labour Conferences are of vital importance and are justified by their solid achievements and more solid potentialities.

#### BUILDING OF UNIONS

To sum up I plead for a strong and united Labour and Trade Union movement in India. I plead for the Indian workers standing on their own legs. I appeal to our comrades to make the fullest use of the meagre representation granted to us in the new Constitution. I admit that the Constitution is a caricature of democracy and has little possibility of growth within itself, but if good men turn away from it in disgust, bad men will seize upon it for their selfish ends and prolong its existence. Above all, I plead for quiet, earnest and constructive work in building up Trade Unions in every industry. If organised, the workers in Railways, Steel, Shipping, Port Trust, Textiles, Cement and Engineering Industries can become a mighty force not only bringing about their own economic well-being but leading to triumph the battle for India's Freedom as well.

#### Resolutions

The Federation passed resolutions extending greetings to the National Congress on the occasion of its Golden Jubilee and hoping that the unification would result in the strengthening of Labour movement through the efforts of the Joint Labour Board. Another resolution expressed satisfaction at the inauguration of the Asiatic Labour Congress, the first session of which was held in Colombo in May 1934, and hoped it would bring together workers of Asiatic countries under one organisation with a view to improving the standard of life. It further appealed to the I. L. O., Geneva, to take steps to hold at an early date a Maritime Tripartite Conference.

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# **EDUCATIONAL PROGRESS IN INDIA**

**July—December 1935**



# CONVOCATION ADDRESSES

## The Dacca University Convocation

Dacca—18th. July 1935

The following is the text of the speech delivered by Mr A F Rahman, Vice-chancellor of the Dacca University, at the Annual Convocation held at Dacca on the 18th July 1935 in the presence of H E the Governor of Bengal, the Chancellor of the University —

It is my very pleasant duty to welcome Your Excellency again to preside over the Annual Convocation of the University and to offer grateful thanks on behalf of the University for the deep and abiding interest that you have taken in the fortunes of this Institution. This University has been profoundly impressed by the efforts made by Your Excellency's Government for building up a better Bengal and I take this opportunity of offering its respectful tribute of appreciation to the courage and vision with which the problems have been approached. Your Excellency's stay here has been so short that it has not been possible to show you again something of the nature of the work that is being carried on in this University.

On behalf of the University I also welcome the guests present here to-day. We are grateful to them for this interest in the affairs of the University.

On this occasion I would like, on behalf of the University, to offer our humble tribute of loyalty and devotion to Their Majesties the King Emperor and Queen Empress on the completion of 25 years' eventful reign. The Empire-wide celebration and the spontaneous manifestations of enthusiasm have revealed the greatness of Their Majesties and also that the throne is firmly rooted in the hearts of their subjects. We pray that Providence may grant them long life, health and every happiness.

It has been the practice, on an occasion like this, to mention some of the more important changes in the teaching staff of the University. But before doing this, I record the profound sorrow of the University at the unexpected death of Dewan Bahadur Sarada Prasad Sen, a former Treasurer. The Dewan Bahadur was a distinguished Judicial Officer of Government, had served the University with loyalty, ability and distinction. On behalf of the University I offer heartfelt condolences to his son Dr T Sen, Agricultural Research Chemist in the University, and now attending, as a delegate, the International Soil Science Congress at Oxford.

I welcome on behalf of the University, Mr Shahabuddin who has been reappointed Treasurer for a further period of two years.

Mr Fida Ali Khan, Head of the Department of Persian and Urdu, retires from the service of the University in July. He has been on the staff of the University since its establishment and he occupied a distinguished position on account of his wide and humane scholarship and success as a teacher. His love of learning, his sturdy independence of character and his devotion to the University made him an influence and his colleagues showed their confidence in him by electing him Dean of the Faculty of Arts. It is a matter of gratification that Government have recognised his distinguished and devoted services by conferring on him the title of Khan Bahadur. The retirement of such an attractive and forceful personality is a loss to the University. His place has been filled up by the appointment of Dr Borrah, M. A. Ph. D.

I mentioned last year that Professor N N Ghose had retired on attaining the age of 55. In his place Professor J N Das Gupta has been appointed Professor of Law and he took charge of his duties on the 1st February 1935.

Mr B. B. Ballan, Lecturer in the Department of Commerce, has been permitted to accept an appointment in the Sanatan Dharma College, Cawnpore, and he has been granted leave till the end of the present session. Mr B. B. Sen of the same Department has been appointed in his place. Mr Gurubandhu Bhattacharyya having retired from service, Rai Sahab Manoranjan Mitra has been appointed Honorary Reader and Head of the Department of Education. Dr J O. Sinha and Mr Sanjibnarayan Sarkar having accepted appointments under Government have tendered their resignations. Their places will shortly be filled up.

During the last session, two teachers of the University, Mr Jyotirmoy Sen of the Department of History and Mr Amiya Kumar Das Gupta of the Department of Economics and Politics had been granted study leave for two years and their places have been filled up by the appointment of Mr P C. Chakravorty and Mr Parmal Ray. Mr Sen has proceeded to Oxford and Mr Das Gupta has joined the University of London. In the present session two other teachers, Mr Momtazuddin Ahmed of the Department of Philosophy and Mr Serajul Haq of the Department of Arabic and Islamic Studies, have been granted study leave and they will shortly proceed to join the University of London for advanced work in their respective subjects.

During the past session some interesting donations have been received Messrs Shyam Chand Basak, Nibaran Chandra Guha Mustafi and Jogendra Nath Sen, Executors of the will of the late Babu Jagamohan Pal have agreed to place at the disposal of the University a sum of four lacs of rupees for the establishment of a Medical College at Dacca in the name of the late Babu Jagamohan Pal. The University proposes shortly to place a scheme before Government and it has no doubt that this will receive sympathetic consideration.

Rai Sahab Devendra Kumar Roy has placed at the disposal of the University three securities of Rs 100 each for the award annually of a silver medal to the student who stands highest in the Honours Examination in Sanskrit. The University offers its grateful thanks to the generous benefactors.

The academic and other activities of the University followed a normal course during the past session. Despite the very serious economic depression the number of admissions have been fairly satisfactory, the number on the 31st March 1935 was 960 including 30 women students as against 961 on the corresponding date in the previous session. It is slightly less than the highest number of previous years. There has been a decline in the number of Law students, but the number of Honours, Post-graduate (Arts and Science) and advanced students has been well maintained, and is practically equal to the number of previous sessions. It is yet early to speak about the admissions this year but in view of the prevailing depression the University does not anticipate a much larger number.

The high academic standard of the University has been ably maintained. Research work has been carried on vigorously in every Department of study, as will be evident from the Annual Report, and members of the staff and students have obtained high distinctions. Mr Rakes Ranjan Sarma has been awarded the degree of Doctor of Philosophy by the Calcutta University. This University has conferred Doctorate degrees on Messrs. Nalini Kanta Bhattacharya, Kamakhyanarayan Sen and Nageswara Narayan Chowdhury. The percentage of success of the students has also been well maintained and the academic societies of the University have shown commendable activity by frequent meetings and the discussion of papers that have attracted considerable public attention. The Halls under able and sympathetic guidance continued to make steady progress in the development of the corporate life of the students and the work of the University was carried on undisturbed by any political movements. The question of the failure of its students in the All-India Competitive Service Examinations has been engaging the attention of the University. Certain proposals for the better selection of candidates have been submitted to Government through the Inter-University Board and very shortly we propose to take steps so that the candidates may be better advised as regards their studies and choice of subjects and their fitness for particular examinations.

Last year I mentioned that valuable investigations are being carried on in the Chemical Laboratory into agricultural problems and that at Dacca there are opportunities and facilities for placing skilled knowledge at the service of agriculture. There has been an output of work of a really high standard and this is a direction in which it can render effective service and become a public asset by contributing to the well-being of the great majority of our population. The Imperial Council of Agricultural Research has continued its grant and it has been possible to appoint Dr A. C. Bose as Research Assistant in Agricultural Chemistry and, in order to carry on the work effectively the Laboratory is being further extended. We trust Government will very sympathetically consider our proposals for the establishment of a Faculty of Agriculture and that the petition for a modest capital and recurring grant for opening a Department of Soil Sciences will be granted this year.

The financial difficulties of the University are considerable and it has to be confessed that the University does not foresee any reasonable prospect of expansion

unless Government comes to its assistance. There is no immediate prospect of addition to our income from any source, but it will be admitted that an infant institution like this must be permitted to expand to retain its strength and vitality. It has retrenched expenditure in every direction and any further retrenchment would materially impair its efficiency. A University in order to render effective service must expand and keep abreast of the times, it ceases to be useful if it has to think continually of curtailing its activities. In the present condition of our finances we are just carrying on but in order to keep our normal activities going, an additional recurring grant is necessary. The University's application is before Government and we sincerely hope, that in view of our urgent needs, it will receive the sympathetic consideration of Government. I should like to state that last year it was mentioned that the University contemplate writing a History of Bengal from original sources. Some preliminary work has been done and scholars have begun work on particular periods and steps are being taken for the collection of materials. But a work of this nature and magnitude requires funds, and progress has been rather slow. While on this subject may I express the University's hope that some portion of the funds for Rural uplift work will be allotted to the University so that it can undertake economic surveys in particular areas in order to help in the formulation of a co-ordinated plan for rural development.

#### STUDENTS OF THIS UNIVERSITY—

To those who have received Degrees and prizes to-day, I offer sincere congratulations on behalf of the University. I share with you your joy in being able to maintain the academic reputation of the University and I pray that this promise of the future may be amply fulfilled. Many of you probably would be leaving this seat of learning to face the sterner business of life and I hope that the training you have received has equipped you with qualities to meet every situation. May I say that on no account should you be disappointed, if you find life harder, if in your struggles you meet with failure sometimes. Failure is a more common experience than success, and it has been recognised as the greatest experience of the soul because, the soul grows in the dark night. It is only by enduring failure that the spiritual nature develops. I do not wish to imply that failure does not matter, what I wish to convey is that the inner purpose, the dominating idea should not be allowed to be overwhelmed by it. I have spoken to you on several occasions during the last session and I have tried to urge on you the necessity of planning your lives. To plan your lives is to do what an architect does with a building. He has to know what purpose the building is intended to fulfill, he then prepares a sketch plan to give a general idea of what is to be built. This sketch plan he keeps before him to remind him of his original conception. Do the same with your lives, have a general idea of what you propose to make of them. Most of us do not know where we stand, the typical intelligent man or woman of the time is a sceptic and is proud of it. Yet scepticism as a permanent attitude of mind is as dangerous as credulity because it weakens the powers of construction. As it is necessary to be sceptical, it is equally necessary to have faith. This is essentially a critical age, everything is attacked, and to question all things, to believe in nothing is the characteristic mental attitude. But all this entails loss of energy and creative power, values become confused and pessimism is certain. It is well to remember that criticism that is destructive is bad, good criticism is essentially creative because it attempts to replace what it wishes to destroy. It does not matter what careers you choose provided you make yourself proficient in whatever you take up and embark upon it with the idea of fulfilling your end as a man. But it is important what life values you create, what actual contribution you make to society. The greater the contribution the more valuable you are to yourself and as a citizen. There is that imperishable substance wrought by our daily actions, our decisions, our courage and fidelity which increases or diminishes the spiritual property of society. Your University has tried to teach you these things. You are not educated for the sake of being educated, the real purpose of this education is to equip you for life and in a sense all life is education. We live to gain experience so that the flower of our consciousness may unfold. Education must be regarded as a discipline which gives form to the fully expressive life. An educated man accepts a higher discipline as he masters each lower one and in that view education is never finished for the knowledge that education aims at is knowledge of oneself which is inexhaustible. Every one of you therefore should live to the limit of his capacity, doing his best always, so that you may increase your powers and gain in knowledge. It is said—perhaps disparagingly—that



ambition belongs especially to youth, but it is good to have ambition, for to have no ambition is never to be able to rise to great heights. Ambition is the general direction of our choices, as a result of which destiny is made and it should be your ambition to create a society in which the good life may be lived by all. We make the society in which we live, and it is well to remember what Aristotle said that "friendship is the motive of society" and the "essence of friendship is earnestness, a total magnanimity and trust." We can improve society by changing external conditions and attempting to change its inner life. But society is made up of individuals, its improvement depends upon the improvement of the individual. As the individual in his outer relations depends upon his inner life so the condition of society depends upon the inner life of the individual. What is wanted therefore is that you should be a living example of what you want others to be, because example is a great social power. Some time should be spent therefore in examining yourselves, in seeing the truth in yourselves, in rooting out of yourselves all that is unworthy of your highest ideals. We should be tolerant of the failings of others but not of our own. One of our severest duties is that of self-judgment, the tendency to drift must be opposed strenuously. In the language of Bernard Shaw "To be in Hell is to drift, to be in Heaven is to steer." That is the ideal before you, the direction of the thought and action of this country in the new order of things that we visualise. I cordially wish you every success in your new duties and responsibilities and may Providence guide you.

### The Governor's Address

The following is the text of His Excellency the Governor's speech —

This is the first occasion since the appointment of Mr Rahman as Vice-Chancellor of Dacca University that I, as Chancellor, have had the opportunity of being publicly associated with him and my first words shall be of welcome to him personally and of congratulation to the University on its good fortune in obtaining the services of so distinguished a man as its Vice-Chancellor. Mr Rahman is the first Indian to hold this high post and so is, by that fact alone, assured of an honoured place in the history of the University. I feel on safe ground in prophesying that it will not be for this reason alone, however, that his name will be remembered in years to come not only within the University but in wider spheres. The University is yet too young for it to be possible for one of its own alumni to hold the post of Vice-Chancellor but Mr Rahman, if he cannot claim to be a son of the University, at any rate is one of its foster-parents for he was associated with it for a number of years during its infancy, being the first Provost of Moles Hall and Reader in History from 1921 till 1927 and in 1924 he was elected to the Bengal Legislative Council as the representative of the University.

You will agree, I am sure, Mr Vice-Chancellor that words of welcome and appreciation addressed to you on an occasion such as this should be coupled with a reference to your predecessor, Mr Langley, who was Vice-Chancellor when I last addressed this Convocation in 1932. I have read with pleasure the generous tribute which you paid to him in your address to the Court of University at its annual meeting last February and, if you will permit me, I should like to associate myself fully with what you said. He, like you, was one of the original Provosts of 1921—Dacca Hall being his charge—and for eight years before that he had been a Professor in the forerunner of this University, the Dacca College. He became Vice-Chancellor in 1926, a post which he filled with credit to the University and distinction to himself until his retirement from the Indian Educational Service last year.

Another and more recent loss is that of the late Sir Abdullah Sahzawardy, a member of the Court and an old and close friend of the University. I can say without fear of contradiction that his sudden and untimely death is a loss not only to Dacca University, not only to the Muslim community and not only to Bengal, but to India as a whole. We could have all wished that he had been spared to assist with his sound counsel and ripe experience in the difficult and vital years that lie ahead in which India will have to accommodate herself to vastly changed political conditions, her success in doing so depending enormously on the wisdom and moderation displayed by the leaders of the various communities.

Apart from these members of the teaching staff to whose loss through death or resignation you, Mr Vice-Chancellor, have already referred in fitting terms—that completes the chapter of our losses—a chapter which, sad though it is, is inevitable

in the record of any living organism. Turning to the brighter side of our corporate life I feel sure that it must have been a matter for pride and satisfaction to the University when a member of its Court—the Honble Khua Bahadur Ahsan Haque—was appointed Minister for Education. The Dacca University may, in fact, at some future date, attempt to claim that membership of its Court shall be a *status quo* for appointment to the post of Minister for Education for out of the seven Ministers who have held this portfolio since the first Ministry was formed in 1921 no fewer than five were members of the Court. I, however, enter a caveat that these words of mine are not available for use in support of any such claim.

I thank you, Mr Vice-Chancellor, for your kind and courteous words of welcome to me personally and for your appreciative references to the labours of my Government in their attempts to devise constructive measures for the betterment of Bengal. As His Majesty's representative I listened with pleasure and satisfaction to your tribute of loyalty and devotion to the Throne. From the reports I received of the manner in which the Silver Jubilee Celebrations were observed in Dacca, as in other parts of Bengal, in which the University participated as far as it was able to in view of the fact at the time it was in recess, there is no doubt that the expressions to which you have given utterance are no mere lip service. I sent to His Majesty an account of how his Jubilee had been celebrated and all who took part in those happy rejoicings will like to know that in reply I heard that the King Emperor was touched and delighted at the evidence afforded that a dear wish of his had been achieved and that he was assured of the affection of the Indian branch of the great family of which he is the head.

I propose now, Mr Vice-Chancellor, to deal very briefly with some of the points raised in the report which you have just read. Finance is still our stumbling block but it is heartening to hear of a princely donation such as the four lakhs given by the late Jaga Mohan Pal for the purpose of establishing a medical college. There is a great field of work for doctors among the rural population of Bengal whose health has become, from various causes into which I cannot enter here, a problem of national importance and Government welcomes any means of ameliorating it. Whether for this purpose we do not need for well-trained licentiates rather than medical graduates, of whom the existing Colleges are already turning out large numbers may be a moot question. I can assure you, however, that when the scheme for the medical college reaches Government it will receive sympathetic consideration on its merits. Grateful though we must be for donations such as this which are earmarked for specific purposes yet what is needed even more is the provision of endowments placed unreservedly at the disposal of the University. As you well know, Mr Vice-Chancellor, the older Universities in England have owned their vitality and their academic and intellectual independence largely to the fact that they have at various times been richly endowed with gifts of land and money enabling them to pursue their ideals in peace and quietness and without interference. The Dacca University is still in the stage when it has to depend on Government for the bulk of the funds necessary for its existence and the result is that every expansion of its activities is dependent upon the approval of the executive Government and the Legislature for it is they who have to find the cost. Apart from the basic unsoundness of a position such as this the result has been of late, that owing to the depleted condition of Provincial finances the Government of Bengal while approving in principle of schemes have been unable to ask the Legislature to vote supplies because there has been no available source from which the supplies could be drawn. The result of all this is that the University is denied free growth in the directions in which it feels the need of expansion thus cramping its body and soul and perhaps jeopardizing its whole future usefulness. I therefore appeal to those who have the cause of this University at heart and contemplate becoming benefactors of it to make their gifts as free from conditions as possible.

The work that is being done in agricultural research is a typical example of an activity that may lead to benefits of the very highest order to Bengal if it can progress without check and the proposal to establish a Faculty of Agriculture and as a beginning to open at once a Department of Soil Sciences is one of deep interest to Government. The matter has been engaging the close attention of the Ministry for some time and a decision will be reached very shortly. I say at once that I think a comparatively small University such as this can achieve its purposes best by endeavouring to excel in a few subjects instead of dissipating its energies over an unnecessarily wide field and agriculture is, I think, one of the subjects on which it might most appropriately focus its attention. The question also of an increase in the annual recurring grant to the University is under consideration and I

will do what I can to see that it is not delayed in any way. Before I leave the question of finance I may say that it will not be possible for any part of the Government of India's grant for Rural Development to be allotted for University research work such as Economic surveys. The conditions on which the grant is placed at the disposal of this Government are such that activities of this kind fall outside its scope.

I am glad to hear that in spite of the economic depression and the difficulty which many parents must in consequence experience in finding the money to give their children a University education, yet the number of students remains steady and I do not regard the reduction in any number of Law students as a bad sign—rather the contrary, for in Bengal the Law, I am told, has become an overcrowded profession which has little to offer except penury to all save a comparatively few outstanding practitioners. It is, moreover, a profession which tends to draw able people away from the country-side to the towns and what Bengal needs, perhaps more than anything else, is a turning back of its *shadhrals* from the towns to the villages. Government are about to publish, for criticism and opinion, a somewhat lengthy memorandum reviewing the position of Education in Bengal and outlining a new policy. The underlying idea of the re-orientation of policy which is suggested in the Note is to bring a *really effective* primary education within the grasp of the masses, to intensify middle vernacular education while reorganising its curriculum so as to give it a definitely rural and agricultural bias, encouraging boys to stay in their villages and to turn their thoughts and ambitions towards improved methods of agriculture and standards of living and discouraging boys who are judged unfit for it from seeking a High English and University Education. I see great possibilities for Bengal in an educational reform of this nature but it is no exaggeration to say that the keystone of the arch of rural regeneration will be the provision by the Universities of highly intelligent educated men and women country-minded instead of town-minded. Love of the motherland is deep-seated and urgent in the Bengali race and so insistent is it that it has taken for many the perverted form of anarchy in the shape of non-co-operation and civil disobedience. Both these forms of imagined service to the country are merely destructive and worse than negative—a fact now realised by the immense majority of the patriotic sons and daughters of Bengal. Thank God, the realization has not come too late and though great damage has been done to Bengal that damage is not irreparable.

Students, do not be deluded into thinking, as so many young people are inclined to think, that happiness is to be got by choosing a career which offers glittering prizes whether they be of money or of rank and position and do not for one moment believe that it is one wit the less honourable or satisfactory to live a life of usefulness and service to a small and, perhaps, seemingly obscure, part of the community. One of the truest things ever said was that it is more blessed to give than to receive, but this is only true if the giving is done in the true spirit of a gift without any thought of recompense. That is what true love is and is what makes true love such a tremendously potent force if you are true lovers of Bengal, give to her with open hands. She needs your love, she needs your service and I can promise you this, that if you give her what she is calling for she will, without your asking or even waiting for it, repay you in untold measure in happiness, contentment and those precious gifts, the love, honour and respect of those among whom you live. She needs village doctors, she needs village school masters, she needs cultivated men to give the lead to the simple villagers in their sanitation, their methods of agriculture, the marketing of their produce and the establishment of small local industries to supply their wants. She needs men of high intellect and education to sit on the Boards and plan constructively for the improvement of the rural areas, to sit on the Union Benches and Courts and see that the justice which is brought to the doors of the people is fair and enlightened, to train, inspire and lead village defence parties who will act according to a concerted strategical plan should danger's venture to attack a village, to take the lead in forming innumerable co-operative societies for a multitude of purposes which will band the people together in small homogeneous units working for the mutual advantage of their members. These are, in the roughest of outline, but a few of the ways in which you can render the truest service to your country and in connection with them I commend to your serious attention the admirable advice the Vice-Chancellor has just given you on the subject of planning your lives. What I have just said is the practical application of a good deal that he discoursed upon in general terms, and I would, in all sincerity, ask you, in the heart-searching the Vice-Chancellor has recommended to you and in setting yourselves on

ideal and a goal, to consider what I have said. Those of you who feel that your abilities and leanings are such that you can best serve your country by aiming at Government service in its many branches, or public life, or one of the professions which can only be practised in big cities will do right to go ahead. Others there may be who, after reflection, will decide at once that their career is to be one of service in rural areas such as I have outlined. There will, however, be many, perhaps the majority, who will be in doubt as to whether to turn to the towns or whether to choose a life in which there will be no prospects perhaps of much more than a bare livelihood and some of these may decide to try for a town career and find they fail. To these I would say "turn your thoughts definitely to the countryside and prepare yourselves for a life there." To those who decide to turn to the towns I would commend the example of such men as the late Rai Bahadur Nagendra Nath Banerji, the Public Prosecutor of the 24 Parganas, who truly served his country by spending all his spare time in going back to his village of Burnagar in Nadia District and in doing everything in his power for its improvement and the amelioration of the conditions of life of its inhabitants. So many young Bengalis when asked what they want to do in life say "Service" an admirable reply if by service is meant *sewa* and not *ekatori*. Whatever career you may choose, let your lives be guided and inspired by the ideal, not of self-seeking but of service to your fellow-men and your motherland.

## The Madras University Convocation

The following is the text of the address delivered by the *Rev A G Hogg*, Principal, Madras Christian College to the graduates admitted to degrees at the Convocation of the Madras University on the 7th August 1935 —

Mr Chancellor, Graduates of the year, Ladies and Gentlemen,

It is only becoming to begin by expressing my sense of the honour of having been selected by H E the Chancellor to deliver the Convocation Address. Fortunately for my peace of mind the diffident sense of an honour too little deserved is quickly forgotten in a consciousness of the privilege of being permitted to address the graduates of the year on an occasion which is a landmark in the life of every college student. More than thirty two years have now slipped by since first I faced a class of Madras University students. I did so in fear and trembling, for it was my maiden effort as a class-lecturer. But so kindly responsive did I find the Madras student that my alarm quickly subsided, and from that day to this I have never ceased to be glad that my lot has been cast amongst the young men of India, in what is for me the most enthralling of all occupations—that of teaching. Together we have shared the exhilaration of the treasure-hunt for truth in regions of philosophical thought where the teacher is often so little ahead of the taught. We have dug down together, seeking the foundations of faith and duty. And at those times when the exhilaration faded, we have together put in dogged hard work. I do not speak of all. There are students—so called—who expect to have all the reflection and search done for them. But I have always found that there is the other kind—keen, enquiring youths who are, in their measure, real comrades in the quest for truth and understanding. The presence of even one or two of such makes teaching a delight, and when, going down from the University, they maintain in later life the same habits of alert and conscientious thought, the teacher feels he has not lived in vain. If in any measure I have given of my meagre best to the young men of India, the gift has been much more than repaid in the genuine fellowship we have had together both in and out of College precincts. Is it any wonder, then, Graduates of the year, that when I look on your faces I forget the august spectators, and forget even His Excellency himself, and am conscious of you alone, the latest generation of that eager youthful company among whom my life has been spent?

To day your pilgrim feet are standing on an eminence from which your eyes gaze, now backward, now forward. Some of you are athril with accomplishment. You have won your Degree with a rank as high as you had dared to hope for. Others of you may be less completely happy, keeping a cheerful mien but smarting inwardly

under a sense of not having been able, on those grim examination-days, to do justice to the hard work you had put in and the powers you feel conscious of possessing. I can well sympathise with you, the disappointed ones, for it was to your company that I belonged on my own Graduation Day. Fortunately life has other kinds of examination-test, and there the verdicts are often very different. But all of you, the disappointed as well as the elated, have completed an achievement in which you do well to take a modest pride. By right of your attainments you are now graduate members of the great University of Madras. We do not think her faultless, nor would she wish us to do so. But we know her worth, and to be robbed in her insignia is no mean honour.

It is natural for me to look back to day to my own graduation, and to compare the ceremonial on that occasion with what we use here. In those days the University of Edinburgh possessed no hall of her own adequate for the requirements of such an occasion. The hall which was annually hired for the purpose was impressive in nothing but its lofty and spacious dimensions, and—possibly owing to an instinctive sympathy with the plainness of the architectural setting—plain black robes were the order of the day. The only academic Doctor upon whose person, in my undergraduate days, I ever saw a red gown was the Professor of Astronomy, whose communion with the lonely stars had perhaps so emancipated him from the herd instinct that he could placidly defy local custom. But if in the Edinburgh Graduation Ceremony of those days there was little to impress the eye in the mass-effect, in the ritual followed there was at one point a greater individual impressiveness. In Madras the magic words which transform the graduate into the graduate are addressed to the whole company of the recipients of each particular Degree collectively. At Edinburgh in 1897 each graduate who crossed the platform had his Degree conferred on him individually. In succession each had to pause and kneel bare-headed before the Principal of the University, while the latter, holding out a velvet cap an inch or two above the above head, murmured the Latin formula by which the Degree was conferred. I do not suggest for a moment that Madras should follow suit by requiring our Chancellor to memorise, say, a Sanskrit formula and pronounce it over each graduate in turn. Even were there no other reason, the much greater numbers to be dealt with would rule out any such procedure. Nor were there no other reason, the much greater numbers to be dealt with would rule out any such procedure. Nor is there need for Madras to be an imitator of Edinburgh, for if in one respect the old Edinburgh ritual was more impressive, in another respect the superiority lies with our procedure here.

No graduate of the University of Madras has any excuse for not being aware that at admission to his Degree he bound himself by a solemn vow. At Edinburgh, on the other hand, at least in my day, the vow was subscribed by most graduates with a complete unconsciousness of what they were doing. Each man knew that he had to sign his name in a register of graduates kept in the University Office, but very few indeed were aware that on the first pages of that register there was inscribed a long and solemn undertaking in the Latin tongue, and that by inscribing their names in the body of the leather-bound volume they were pledging themselves to observe that vow. We do things better in Madras. For this vital part of the act of graduating we reserve a place of honour in the programme, and we clothe it in an impressive ritual of question and answer. Thereby we do rightful homage to the principle which no true University can forget—the principle that the foremost concern of education is with character rather than intellect.

Graduates of the year, it is laid down for me by statute that I am to exhort you to conduct yourselves suitably unto the position to which, by the Degrees conferred on you, you have attained. Any other topic I may touch upon is optional, this subject is obligatory. Now upon a strict interpretation I cannot help feeling that to be rather an invidious requirement, which places me in something of a dilemma. For if I do not comply, I am flouting a statute, while if I obey the letter of the law, I am committing an impertinence. There would not have been this dilemma if the Address had come at an earlier stage in the proceedings—if there had been placed first the exhortation and then the solemn promise. But for me now to exhort you to conduct yourselves as you have already promised to do looks—to say the least—like a breach of good form. For it must seem to imply a gratuitous assumption on my part that you gave those undertakings heedlessly, without any settled and confident purpose of keeping them. From exhortation, then, I will abstain, but without offence I may invite you to reflect with me on the implications of the covenant into

which you have this day entered with your 'alma mater' when on the strength of pledges given she publicly acknowledged you as her full-grown sons and daughters.

It may be thought that I am making far too much of a mere bit of ceremonial. In one sense I hope that is true. Unless the colleges of this University fall far below what they ought to be, the promises which to-day you have made do nothing more than put into words a standard of conduct which, as undergraduates, you learn to regard as a self-evident obligation. This is obvious in the case of the first promise—the promise to conduct yourselves, in daily life and conversation, as becomes members of this University. But is it obvious in the case of the second promise, regarding devotion to the cause of mortality and sound learning? Is it not devotion to sound learning that is the essential difference between a college that has a place in the University system and what in Madras we call 'Tutorial Colleges'? The latter are quite useful institutions, and I for one have no quarrel with them. But, however, useful may be the purpose which they serve, that purpose is not liberal education. In them success in examinations is the absorbing preoccupation of both teachers and taught. On the other hand, in any college that deserves to be recognised by the University, success in examinations is never the main objective, but is regarded, alike by the teachers and by the more responsive students, simply as the natural result of an eagerness of study which has much deeper roots. It has long been a stock accusation against the Indian university system that academic degrees are valued not as a hall-mark of culture but as a passport to lucrative employment—a passport which is becoming time-expired! And I believe it to be still true that in most cases the economic motive plays a major part in the decision to face the expense involved in a university course. But what may, quite intelligibly, have been the main consideration at the date of joining college need not continue to be the predominant motive in the student's mind throughout his undergraduate years. If it does persist in holding the foremost place, the fault does not lie with the student. For my experience is far from teaching me that the Indian undergraduate is less responsive than other undergraduates to the emancipating transforming magic of a many-sided college life, and to the contagious example of teachers with whom pursuit of truth, beauty and goodness is an abiding passion. If you graduates have had the good fortune to belong to a college that knows its business, to-day is not the first time that you have inwardly pledged yourselves to "support and promote the cause of mortality and sound learning." Disinterested pursuit of the good and the true has long ago become a demand which you make upon yourselves, and that as many as possible should share the enlightenment with which you are privileged has become, I trust, a cause dear to your hearts.

In corroboration of my hope that this is so will you allow me to describe a treasured memory? It is of a conversation which I had with a student many years ago. In the most unself-conscious way he was telling me the story of his school-days and of his passionate struggle to secure an education. One result of the many obstacles which he had had to surmount was that he was much older than the average undergraduate. In fact, when he completed his Fourth Form course he was already in his seventeenth year. It is of his manner of employing the subsequent hot-weather vacation that I propose to tell. He electrified me by saying, as though it were the most natural thing in the world, that he had spent that vacation in giving lectures in his village on sanitation, education, and the evils of party spirit! Very naturally I enquired exactly what this meant. Apparently what he did was to take his stand on the pial of the village choultry, where the elder men would gather of an evening, and under the driving spur of a social enthusiasm to hold forth on these subjects both to those who normally assembled there and to others from neighbouring villages whom he had persuaded to attend. But why, I incredulously asked, should people come to listen to a mere schoolboy? Well, he had foreseen that difficulty, and had prevailed on a senior friend to bring, as a popular attraction, that locally rare and entrancing thing, a hand-harmonium. And, fired by his infectious social enthusiasm, other men of senior standing had joined in the flood of oratory and added their exhortations to his. He also interested himself in the haryans, went to their despoiled huts and urged them to send their children to school, and sometimes even contributed a few annas out of his slender store to feed the youngsters. For to this ardent young enthusiast education seemed everything, and in his imagination the man who had the right to wear a B. A. gown and hood was a god-like being. Not content with all this, he set to work to organise the following scheme. He persuaded a friend who, after passing the Primary examination, had settled down contentedly to the humdrum occupation of managing

his own land, to start a pial school. The education of the village children being thus provided for, he proceeded to organize a levy of two annas from each household to pay the subscription for one copy of a local vernacular periodical which this voluntary school-teacher would read aloud to the village seniors of an evening. He himself then proceeded to give half a dozen lectures in neighbouring villages, and made a beginning with a night-school in his own village. And I may add that upon every subsequent return to his home he resumed this night-school teaching, with the ultimate result that this night-school developed into a permanent institution and obtained official recognition.

Graduates, I have shown you a raw schoolboy giving a conspicuous example of that devotion to the cause of morality and sound learning to which you are pledged. What are you going to do, in your maturer and wiser way, to emulate it? I invited an Indian friend for whose wise patriotism I have a high regard to offer me some suggestion as to what I should talk of in this Convocation Address. At once he begged me to urge upon such graduates as are economically independent to go back to their villages and spend their lives there in the uplift of the rural community. I pass on this message for your serious consideration. It is not possible for one so ignorant of village life as I am to develop that theme, or even to estimate how much self-sacrifice such a life-programme would entail. But remembering that India consists mainly of villages, I can conceive of nothing more noble, and for a true son or daughter of a University nothing more appropriate, than a life spent in combating the ignorance and other social ills that hold the villages of India in thrall.

From the second of the promises that were given this day I pass on now to the third—the comprehensive promise (which receives a more specific elaboration in the vow which follows it, attached to the professional degrees) to “uphold and advance social order and the well-being of your fellow men. That is far too many-sided a pledge to be more than touched on, even if I confine myself to the simpler part of it—the upholding of social order. Even there I must select, and if you will permit, I will lead up to the single aspect which I wish to speak of by once again drawing upon old recollections of what students have told me. The incident I am going to relate is almost too trivial to tell of—as it were, a mere straw showing how, in a certain quarter, the wind was blowing. But if only the breath of wind that was blowing there could become a steady breeze everywhere, it would be a happy day for the social order. That is why the trivial incident seems worth the telling.

The central figure of my little story is once again a student in vacation. I think he was at the time a failed Intermediate, although happily only temporarily so. Desire for a wider knowledge of his native land had started him off upon a tour, mostly on foot, through districts unknown to him. One evening he found himself in an area that had been declared plague-infected and where plague passport regulations were in force. He had no passport. Authority stepped in, and ordered him to a plague-hut. There he was to pass the night, along with five other wayfarers who were strangers to him. That is Act I of the trivial little drama. Act II is an offer to the little party, in return for a small *douceur* of a chance of slipping away and going where they would. Act III is our failed Intermediate expounding to his comrades in discomfort the social wisdom of the plague-regulations and successfully persuading them to decline the proffered opportunity of escape.

That is my insignificant little tale, but now please let your sympathetic imagination play, along with mine, upon its pettiness. What is it we now see? We see social order struggling to cope with and minimise the curse of plague. We see some one who ought to have known better offering to help to frustrate its wise endeavour out of desire for selfish gain. We see the treachery foiled because one of the humble wayfarers was a friend of social order. And that friend of the social order was a University man, and he was so effectively its friend because at College he had learned a broader, more intelligent vision than his fellow wayfarers.

Now enlarge that snapshot. Magnify that miniature till it becomes as big as the world. Everywhere we see social order, of one type or of another, holding down as best it can the evils to which, but for its presence, mankind would be a prey. And everywhere alas! we see its endeavour hampered by the selfishness of those who think first of personal gain. Nowhere in the wide world, I fear, is corruption wholly absent, though its degree and form may vary. It is the very antithesis and negation of social order, and yet in some measure and manner it is a universal menace. May we hope that everywhere in the world University men and women are its sworn

enemies? To whom, if not to us graduates, shall universal society look for help in the exclusion of this cancerous growth? We are not solitary champions but members of a great brotherhood. In our novitiate as College students we unself-consciously learned to count scrupulous honesty and honour as quite indispensable virtues, to trust one another to be straight and true, and to be shocked if ever the exception was found to be mistaken. Then to each of us there comes the time, as it has come to you to-day, when we pass out of our novitiate and, by vows consciously taken to maintain ever the same high standard, we become members of a order of pledged servants of the ideal. May not society everywhere look to us to heal it of the canker of corrupt practices? The cure will not be easy. It is a cause that calls for martyrs. But if the Universities of the world can send out, year by year, a band of graduates who have reached the sober decision that whenever the choice may be presented between scrupulous honour and worldly success, they will always prefer honour, the battle will be won.

Graduates of the year, it is in a momentous hour that you have completed your novitiate, a time fraught with issues momentous for India and momentous for the world. This India that we love is about to enter upon a constitutional experiment, the precise issues of which no man can foresee. The one thing that is certain is that more than ever before she will need to find in her citizens qualities of the kind which it is the function of the Universities to foster and develop. She will need as citizens men and women who have learned to think for themselves and to act as they think, and whose judgments have well-informed and sympathetic wisdom that comes of wide and wisely chosen reading. She will need those who can put country before community or party, and who, even when feelings are running high, can seek a charitable and sympathetic understanding of views with which they disagree. She will need those who will speak the truth only in love, will speak nothing but the truth. Where, if not to her Universities, shall she look for such citizens?

For the world at large also the hour is fraught with issues of the first moment. Developments are afoot in the West which call rudely into question ideals that we had fondly regarded as among the finest achievements of the human spirit. Indeed, there are those who believe that to-day we stand "at one of the great turning-points in human history, comparable in significance to that in which the Middle Ages gave birth to the modern world." Democracy is under challenge not only in its sadly imperfect realisations but in its very aims and principles. Apprehensively we watch the development of the totalitarian state in its various forms—in Soviet Russia, in National Socialist Germany, and in Italian Fascism which for the sake of economic efficiency, throws democracy overboard, and so does with the willing consent of the masses. "That the people" says Professor Macmurray, "should abdicate all their political rights, and with them all that gives meaning to human life, in the interests of a successful functioning of the existing social machinery simply could not have occurred to any European of the nineteenth century." That we of the twentieth century should have seen it happen before our eyes is a fact of the utmost significance, summoning us to a revision of all our social ideas. Mere conservatism will not do. And surely, in the effort to work out a better organisation and embodiment for those ideals of freedom of which democracy has been the custodian, none can be better fitted to take a part than those who, like you graduates, have breathed the free air of the Universities, and have learned that there are regions of the spirit where dictation by the totalitarian state would be an impious usurpation of sacred rights.



# The Bombay University Convocation

The following is the full text of His Excellency the *Governor of Bombay's* address to the Convocation of the Bombay University held on the 26th. August 1938 —

Mr Vice-Chancellor, Ladies and Gentlemen,

This is the first occasion on which I have availed myself of the privilege of addressing Convocation. I do not intend to address you at great length, but I wish to consider some of the functions of a University and its place in the life of the community.

First let me impress upon you the importance of a University as a focus of scholarship and a centre of intellectual life. It cannot fulfil its function unless it is the home of men of first rate ability and so works in an atmosphere of cultured and scholarly intelligence. Therefore it is for you to gather into this University men of highest intellectual capacity attainable here and to keep your standard high.

A University should be something more than an examination body, something more than an organisation for providing facilities for research and original work. It should, through the medium of its lectures and its Societies, act as a source of inspiration for undergraduates.

First rate ability is necessarily rare and it cannot be provided at will just where it is required. No one city, much less one college, can provide professors on all subjects without admitting mediocrity in one or more directions. In England a tradition of excellence in certain subjects has been built up around certain Universities such as the "Greats" School of Oxford, the Mathematical Tripos of Cambridge, the Agricultural Degree of Leeds and the Metallurgy Degree of Sheffield. Why, then, should we not make the best of our opportunities in a like manner? In Bombay and Poona there are groups of colleges. Each college has probably one or two men of outstanding ability, but no colleges can possibly have such men teaching all subjects. Would it not be as well if each place applied itself particularly to one or two branches of study, and each college in each place threw open its lectures to students of all colleges? Post-graduates, both in India and Europe, do as a matter of fact, go to that University where there are the best facilities regardless of their undergraduate allegiance. In this way a particular University or group of colleges in one place would become a centre for the study of one particular branch of learning and the best use would be made of such first rate material as we have.

You will see that I take a high view of the duties and responsibilities of a University. I should regard it as a great misfortune should it become merely an institution for the production of B. A.s. The true object of a University is not success in the passing of examinations, but the encouragement of deep study in some subject for the attainment of real knowledge and consequent training of the mind.

This brings me to the great difference between secondary and University education. It must never be forgotten that the former deals with the teaching of adolescents, and the adolescent mind has peculiarities which call for special methods. Let me quote from the *Lectures and Essays* of Professor J B Seeley —

"It will be admitted that teaching boys is very different from teaching men. If we inquire in what the difference consists, we find that the boy requires to be constantly supplied with motives for working while the man brings these with him. On the other hand, the man needs above all things learned and profound instruction, which is less necessary for the half-formed mind of the boy. It is by no means necessary that the masters of a school should be deeply learned. If they have tact, firmness and lively way of teaching, with competent knowledge, they will do all that can be done in a school. Moderate learning will be sufficient to command the respect and stimulate the minds of boys. The qualifications most important to a lecturer are quite different. The liveliness and attractiveness which interest boys are not required, to the same extent, in teaching young men. Manner is here much less important, and matter much more. The lecturer deals with a ripe stage of intellect. In order to be a useful guide to the cleverest young men at their most impressionable age, he must, before all things, be a man of power and learning. In short, the success of a school-master depends mainly upon his force of character, the success of a college lecturer mainly upon his force and ripeness of intellect."

And he goes on to say "Even if University teachers devote themselves absolutely to the work of Education, they will find that the way to influence the students most powerfully is by becoming as learned as possible."

I will read one last quotation on the subject of examinations —

"I fully recognize the use of a system of rigorous examination and the advantage of setting the men to some extent and arranging them with some reference to merit. But I do earnestly maintain that when this examining and placing are made the principal thing, when the tripos is made the heart of the whole system, the great central pump which propels the life-blood through all the arteries of the University, the system becomes mischievous and lowers the whole tone of education."

I am aware that examinations are a necessary evil, but they should be kept in the secondary and subsidiary place which is proper to them. By this I do not mean to infer that the standard of University Examinations should be lowered. It is my impression that this has already been done in the case of this University and is one of the corollaries of a system whereby examinations play too important a role, and scholarship and learning do not receive the respect due to them. I should, therefore, say to the University authorities "Raise the standard of your Degree examinations, make your degree a hallmark of learning and scholarship, not merely a certificate that a young man or young woman has read a specified number of textbooks."

I would also say to the University authorities that their proper sphere is the improvement of the University in all its phases,—culture, learning, scholarship. This is a splendid and a heavy task, and I would ask you to concentrate your energies and resources thereon. Do not be inveigled into wasting time on sidelines. You have not the time or money, nor is it your function, to examine and give diplomas for minor subjects, which do not really come within the sphere of a University. Where education is an activity of Government I would ask you for your co-operation.

As regards Secondary Education, your function is to form a suitable syllabus for your Entrance Examination. This automatically influences the work of the Matriculation class in each Secondary School. There, however, your influence should cease. I would go further and impress on you that in forming your Matriculation syllabus you should work in close and friendly co-operation with those who control Secondary Education, namely, the Educational department, so that your examinations will be co-ordinated, not only to serve your particular purpose, but to fit in harmoniously with the Secondary School course as a whole, and the latter should be so adjusted as to meet the needs of the average boy about to enter life irrespective of whether he enters a college or not, and it is the majority which will not. These aims may appear at first sight, to conflict. In reality and in practice they do not conflict, and I think that a curriculum can be devised which will enable the ordinary Secondary School reasonably to satisfy both.

Next, Ladies and Gentlemen, I wish to draw attention to the influence of the University in a direction which is not often considered. I refer to its influence on unemployment. Although the University ceases to have any direct connection with its graduates and those who fail to become graduates once they go down, it cannot be indifferent to their subsequent careers. An unfortunate but most noticeable feature of present conditions is the number of unemployed B.A.s. The great bulk of these took their degrees with some idea that it would be easy thereafter to enter Government service. In the past, when B.A.s were few, this was a reasonable hope. At the present day only a minute percentage can be so employed. As for industry, employers would in most cases prefer men with practical training. In the West, a few graduates are required in industries, not for their degrees, but for the wider mental outlook possessed by a cultivated mind. The value of such men should be brought to the notice of business magnates. Even so, only comparatively few men will be absorbed in this way, and a large number of graduates will remain without occupation.

I mention these facts to show the waste involved in turning out these unemployed. The parent who puts in all his savings into his son's education, wastes his money, the University wastes its energy and resources in teaching them, and Government wastes its grants. As you know, the man who has taken a University course in this country is usually unwilling to take up any but clerical work. Even Bachelors of Agriculture more often than not turn away from agriculture. It is obvious too that when a B.A. is compelled by necessity to undertake work that is done equally well by those with no University training, the time and money spent on that training have been wasted. Thus the private money which might have been used for apprenticing a boy to a trade or starting him in agriculture, and the University and public

funds which might have been used to better advantage are spent in a way which increases unemployment.

The plain fact is that it is waste of money to give University education to boys equipped with less intellectual ability than will ensure a reasonable chance of employment in an occupation demanding a graduate's training. Let me therefore appeal to you to keep the standard of your entrance high. It is a hard thing to ask an institution to do anything which will reduce the numbers of its entrants, but the needs of the present day cry out for a remedy for this kind of unemployment.

Whilst on the subject of unemployment, let me say how glad I am that the equipping of the University Department of Chemical Technology is almost complete, that teaching work is now in progress, and that a start will soon be made with the prosecution of technical research. As a result, Bombay now has one of the best Departments of Textile Chemistry and Chemical Engineering in the East.

The University, and, I may add, my Government, have done our united best to make this Department a success. The need of it in our City cannot be questioned. Many of our brilliant students, who could have been of the greatest help in the development of our staple industry, have been unable to obtain the necessary training owing to the expenses of proceeding abroad. Our new Department has changed all that, since the tuition fee will be well within the reach of the majority.

There is one element, however, which is essential for our success. We must have the cordial co-operation and support of the public and the business interests. Good wishes will not suffice; practical help alone will avail. The University is starting in a small way with but two branches of Chemical Technology and with facilities for only 20 students per term. In five or ten years' time when sufficient experience has been gained, the new Department must be moved, and must form the nucleus of an all-embracing and extensive Technological College. To do this, large funds are essential. The public have so far been generous, for in the short period during which the Department has been working donation to the amount of over Rs. 5 lakhs have been received. But much greater sums are required before the University will be in a position to build a College of Technology with many Departments, worthy of the City of Bombay.

May I, then, appeal to the public who are interested in the industrial development of this Presidency, and to the millowners, to give generous financial support to the University. Such help will bring its own reward, for under the present system of industrial competition high tariffs cannot shield an inefficient industry. If the millowners will but aid the University, they will have at their disposal for their higher technical posts a supply of highly trained Indian graduates whose presence in the mills cannot but lead to more efficient working. They will be helping a Department which exists to help them, to which they can even now bring their problems with the assurance that high technical skill is at their disposal for the solution of their difficulties.

In conclusion, I should like to say how glad I am to have had this opportunity of addressing you. If I have dealt chiefly with the problems which are the responsibility of the authorities, I do not forget that many of you have still some time at the University ahead of you, and that others of you are now graduates at the outset of your careers. To the former I would say: Make the most of your time. Work hard. Think out your various problems and try and reach the truth. There is an enormous field of study before you. Make sure that what you know, you know thoroughly and exactly.

To the graduates I would wish all success in the battle of life which lies ahead of you. You are entering upon it at a time of vital importance to your country, when great and far-reaching changes are impending. See to it that your gifts of extra knowledge and learning are used to the best advantage, not only for your own good, but, above all, for the good of that great India whom it is our ambition and duty to serve. To you, young ladies and young men, I would express my sincere hope that you may all, in the near future, secure happy and useful occupation.

## The Kashi Vidyapith Convocation

The 7th Samavartan Samskar (Convocation) of the Kashi Vidyapitha was held on the 14th August 1935 in the Kashi Vidyapitha buildings. The function began by the hoisting of the national flag and prayer Mr *Borbal Singh*, Registrar, presented the *Snatata* (graduates) to Dr Bhagavan Das, the *Kulapati*, Kashi Vidyapitha, who conferred the degrees. Mr *Sri Prakasa*, vice principal, read a letter of *Babu Rajendra Prasad*, Congress President, who owing to some pressing business, was not able to attend the function, but wished success. Messages from Mrs *Uma Nehru*, Mr *Mohan Lal Saksena* and the Vice Chancellor of the Gujarat Vidyapitha were read.

After this *Acharya Zakir Hussain Sahab* of *Jamia Millia*, Delhi, read his convocation address in Urdu which runs thus 'I hesitated in accepting your kind invitation to address this convocation, for I sincerely felt it was a distinction I did not deserve. But I accept it as a gesture of good will and approval for the work my colleagues are doing at the *Jamia Millia* in the face of great odds.'

Dr *Zakir Hussain* then proceeded to show how nothing short of a truly national system of education could ensure the healthy growth and progress of Indian people. He regarded it as essential both sociologically and educationally. To him society was the primary entity and the individual was secondary. 'Education', he said, 'is the deliberate and purposive effort of a Social group to transfer to its new generation the culture of its past, thereby ensuring continuity of social life and enabling it to make necessary adaptation in a changing environment. National education is to the nation what memory and intelligence are to the individual. Without national education the nation cannot last and the individual is unthinkable with nation the whole of which he is a part.' He then discussed the nature of the educational process and characterized it as 'the revivification in a new mind of the mental energies latent in goods of culture. And since mind can best assimilate the cultural values of things to which it bears some peculiar affinity, the cultural goods of the group to which the individual belongs are the best instruments of his education.'

In the light of these general principles Dr *Zakir Hussain* referred to many important problems of national education to which he invited the serious thought of Indian educationalists. He advocated educational autonomy for all geographical or religious groups, constituting Indian polity as the demands not only of sound politics but also of sound education. He specifically mentioned of Muslim education and said: 'There is a type of extreme Indian nationalists who insists on every one giving up his religion before he is entitled to rank as a true son of India. There should be no such condition precedent to true nationalism. Patriotism can be a part of one's loyalty to one's faith and need not be a betrayal and infidelity.' The Indian Muslims are behind none, said he, 'in their love for country. They are proud of being a component part of the great Indian people but they insist that they should remain a conscious part. I welcome this insistence not only as a Muslim but also as an Indian.'

Addressing the graduates on whom the degrees were conferred, he said 'To those of you who may choose careers that will bring you wealth and distinction I have just one word to say the road to success need not be one over cherished ideals trampled under foot and dear obligation neglected. On the basis of narrow self interest blind to the service of the whole of which one is a part, no personal development is possible which may rank above the animal.'

Addressing those who would devote themselves to national work, he said 'Friends you are going out into an unfortunate land, the land of political dependence, of intellectual slavery, of social injustice, of inhuman customs, the land of tyranny of priests, of the hatred of caste towards caste and creed towards creed, the land of illiteracy, of preventable disease and avoidable death, of unspeakable poverty and indescribable misery. The extreme desperation of the situation may cause to believe that its need can be met only by wholesale destruction. Many a young man think like this. But I am afraid destruction will not make our task easier. For destruction is already there in a great measure. Diseases and disabilities we have many but hardly any that we can remove by working ourselves up to a frenzy and ending a short lived effort. We are called upon not to destroy but to build. The situation does not demand of a torrent of boiling blood, but a steady stream of sweat from our

toilsome brows Our future shall be forged in the unpretentious cottage of the peasant, the smoky shed of the workshop and under the thatched hut of our village school 'If you will take up the work of regenerating your people, he continued, 'remember that it requires patient toil, thankless and untiring at times, poor in immediate return but rich in the promise of ultimate harvest. You cannot take up the task if you are in haste, it requires thoroughness. You cannot hope to help effectively in it if you work by fits and starts. It requires steady efforts. You had better keep away from it if failure engenders disappointment in you and disappointment and despair. Failures there will be many and frequent. Only they shall venture to work here who can turn every failure into stimulus for renewed effort. You cannot take up this work with the spirit of negation and distrust lurking in you. For this will render you intellectually bankrupt and morally too sterile for the mighty effort Moral qualities of the first order are essential If you would undertake this responsibility. If you got to day and now a divine gift of the most perfect institution of political and cultural life it would be useless. They will sink down to the level of our moral height and become unrecognizable. A people can keep its worth and its institution only on the level on which it can create them by itself It is further essential that the youth of the country should co-operate in this mighty effort for a considerable length of time 'Is this co operation possible? asked Dr Hussain, and said — 'One requires to be great to say yes to the question in an India of Hindu milk and Muslim water in an India of Brahmins and untouchables, in a sub-continent which houses the most divergent radical characteristics, the most contradictory cultural currents, the most sanguine struggles of conflicting ideals. But I have optimism enough to say so because I am sustained by the belief that India's mission in history is the evolution of a distinct type of humanity combining and harmonizing in itself the virtues of the diverse types which history has produced, a type that might work out a better scheme of civilized existence. If you are also sustained by that belief you will be ready to give and receive co operation. But when doubt comes over you and fatigue then look to the picture of a politically and spiritually free and great India which you should carry in your breast. Look to this picture it would strengthen you and if you still see round you the mean and the ignoble, the faithless and the unbelieving, the self-seeker and the career-monger, cunning and brutality, slavery and contentedness with slavery then know that the task is not yet over and the work must go on.'

Dr Bhagawan Das, thanking Pandit Malaviya, said that through his *ashraaf* our end would be achieved. Next he thanked the speaker for his very excellent and invaluable speech and said 'It is our duty to do something and find out a way so that we may be united. We should not only see the difference but have an eye on the gem as well, otherwise everything will be spoiled. He should be made to act up to his advice in bringing about unity and reforming our national education.

The function then terminated

## The Mysore University Convocation

The following is the text of the Convocation Address delivered by Mr C Y Chintamani, Chief Editor, 'The Leader' Allahabad at the Convocation of the University of Mysore held on the 9th. October 1935 —

Your Highness, Mr Vice-Chancellor and Members of the University of Mysore,

It is a great privilege for one to be called upon to address this august assemblage. I owe the honour to the friendly partiality of Sir Mirza Ismail, from whom I have received many kindness since we formed each other's acquaintance at the first Round Table Conference in London nearly five years ago. I received the call last year but had to disappoint myself owing to ill-health. I esteem it a good fortune that this invitation has been renewed this year.

Your Highness, my first knowledge of Mysore came from the rich and unique tribute paid to your illustrious father by the Indian National Congress in 1894, when His late Highness died very young at Calcutta to the sorrow of all who admired

him as man and ruler. For the first and (until now) only time that great organisation recorded "its deep sense of the loss which has been sustained in the death of" a ruling prince "not only by the State over which he ruled with such wisdom, ability and benevolence but also by all the Indian people, to whom his constitutional reign was at once a vindication of their political capacity, an example for their active emulation, and an earnest of their future political liberties." Thus was said of Your Highness's father, the parent of the great Representative Assembly of Mysore, the first of its kind in the whole of India. Building upon the foundation thus well and truly laid, Your Highness's illustrious brother has since given this great State a Legislative Council with an elected majority and well-defined functions and, recognizing that education is the indispensable condition of the success of representative institutions, he has endowed the State with this University—again, the first of its kind in any Indian State, and the first teaching and residential university established anywhere in India. Education in all its branches and of all classes has been the anxious concern of His Highness's Government, as I have seen from the voluminous and instructive literature kindly placed at my disposal by the authorities of this University. And if I may venture to add to this, the keenness of His Highness and his Government for industrial development and for all round national advancement may well be the envy of Indians residing outside His Highness's State.

Swarajya is the present national demand of India. In one and a very important sense the people of every Indian State have Swarajya, although unfortunately, not in the full sense of Lincoln's historic phrase "government of the people for the people by the people." But in His Highness's territory, there is, definitely, representative government from the village to the central government of the State, and the unmistakable tendency of the evolution of institutions has uniformly been in the direction of progress. Here is combined administrative efficiency of the bureaucratic system of British India with all the pride and all the advantage of Government by a ruler who is for the people and of the people, who thinks their thoughts and shares their feelings, their joys and sorrows, whose traditions are rooted in the native soil of the State as theirs are, who is not a transient being with a limited and temporary interest in the people and their problems but one who has inherited a permanent, living interest in them from his fathers and is concerned to hand over the heritage to his sons in untarnished splendour. There is a "soul" in Indian States which we miss in our drab British India. I am very much aware of the many grievances of the people of Indian States in general, and very much wish for a more or less radical change of system in order to give the people a definite share in their own government, but I always have been, and hope shall always be, for the preservation of the States under their ruling princes, who are the living emblem of India's past glory and may yet prove to be a potent agency in the transformation of the destinies of this great land. And, though I may differ, much to my regret, from your distinguished Dewan on much in the new Government of India Act, we are both gratified by the prospect of all-India federation, which will bring the States and British India into joint counsel over common problems. My study of the new constitution does not induce an excess of optimism in my mind, but now that it is a settled fact I shall, with Sir Mirza Ismail, hope for the best and shall be happy if actual events should prove at least a fraction of my pessimism to be excessive, if not unfounded. Mysore has been the breeding ground of statesmen. Beginning with the celebrated Purnaiya, never forgetting Dewan Rangachariu and Sir Seshadri Aiyar, nor omitting Mr V P Madhava Rao and Sir Visweswaraya (the Dewan during whose regime this University was founded), and coming down to the present day of Sir Mirza Ismail, this State of Mysore has demonstrated to the world, not only by its objective achievements but in the persons, first of its illustrious Maharajas and next of its ministers, that India is still rich in constructive political talent and deserves a higher destiny than to remain a dependency. As a humble publicist who has been in the political life of British India for 37 years, I salute His Highness the Maharaja as the honoured head of such a State and pray that my fortunate countrymen of Mysore may long enjoy the good fortune of looking up to him as the guardian angel of their most cherished interests. Authorities on ancient Indian polity have informed us, as the result of their profound studies, that the old sentiment was that "a ruler entrenched behind the impregnable fortress of his people's love is unconquerable," and that it was the root principle of that polity that "every function of the State had to be conditioned by and to be subordinated to the need to preserve both society and the State." May these ideas constantly guide every ruler of an Indian State, as in this great State!

Your Highness, I first visited this State 27 years ago. I was then the assistant secretary of the Industrial Conference and came here with the special object of studying your Dasara Industrial Exhibition. I utilized the occasion to see your Technical Institute too, and to witness, thanks to the courtesy of your then Dewan, my lamented and distinguished friend Mr V P Madhava Rao, one of the Durbars and a sitting of your representative Assembly. I saw too a few of your institutions situated at Bangalore. His Highness's great palace was still incomplete while the Indian Institute of Science was represented only by walls three or four feet high from the ground. In pressing me to pay the present visit, Sir Mirza Ismail told me of the immense strides that the City and State of Mysore have since made in every direction. I expect, before I shall have retraced my steps to Allahabad to find ocular demonstrations of the vast progress recorded in the official publications of the State. Among your many institutions established and functioning for the well being and advancement of the loyal subjects of Mysore a very high if not the foremost place must certainly be given to this University. Education is both the means to an end and an end in itself. In a restricted sense, education by itself will not achieve everything but without it nothing can be accomplished. Stridev Smith said "The doctor will not tell you that you will be all right when the bile has been removed, but he will tell you that you cannot be all right unless it is removed. Similarly, man may not obtain all the good he wants merely by reason of spending a few years at school and college and in the university, but he can usefully attempt nothing worth mentioning unless his ignorance is removed by education. His Highness the Maharaja has been a life-long believer in education and has consistently striven to give its benefits to a large and increasing number of his subjects. It was with pride and almost envy that I studied the last decennial report on education in this State. Eager as successive Governments of His Highness have been to secure a wide diffusion of elementary education among all classes and both sexes, assiduous as their efforts have been to devise a sound system of secondary education as the foundation both of university and technical education they have, under His Highness's eyes, been at the same time equally mindful of the necessity of the two latter. It is to this statesmanlike view of the problem that your people owe the existence side by side of diversified as well as of the highest academic education. British Indian provinces as well as sister-states may with advantage emulate the high example set by Mysore in this as in other respects.

Having decided to establish this University the Government and their advisors had no difficulty in making up their minds in favour of a modern teaching and residential institution as being in every way superior to the older type of federal or examining university. Mysore did not wait for the monumental report of the Sadler Commission to instruct it. A subject which has not yet wholly ceased to be controversial in British India, Mysore solved almost without the outside world knowing about the discussions here. The example of Mysore was soon followed by Benares and Aligarh, Dacca and Lucknow, and it was my privilege as the first Minister of Education in the United Provinces, to carry through the legislature, under the enthusiastic guidance of Sir Harcourt Butler, Bills to separate high school and intermediate education from the university to reconstruct Allahabad University on the basis of a teaching and residential institution. I am confronted to know that at least in Mysore, which has worked the new system for a longer period than any other Indian university, there is no regret and no misgiving and there is no wishful 'looking backwards' on an examining board as a better type of university. The results as they are embodied in reports, have fully justified Mysore's wisdom and foresight.

I cannot presume to arrogate to myself the role of a critic but may yet venture with Your Highness's permission, to submit five suggestions for the consideration of the competent authority.

(1) The place of religion in education has engaged the best thought of the wisest men in two continents for generations and yet remains, I fear, an unsolved problem. I have to confess that at one time, and for long, I was a convinced advocate of secular education and the avoidance of religious instruction in public schools and colleges. I tenaciously held to the view that the home is the legitimate place for religious instruction. But as indifference reigns supreme in the Indian home, the result has been the upbringing of the youth of India in a non-religious atmosphere with consequences by no means to their or the country's good. I am as far as ever

I was from any idea of educational institutions being converted into centres of sectarian strife or theological contention that would indeed be a disaster of the first magnitude, but the conviction has been strengthening in me that this can be avoided and yet instruction in the broad principles of religion—the most important of which are, I believe, common to all religious systems—can be imparted to the great advantage of the individual as well as the nation. Nowhere in India is there a head of state more inspired by religious faith, and nowhere is there a broader toleration among people than in this favoured State—the State chosen by the great Sankara as the centre of the greatest of his *peṭhas* (of course I refer to Sringeri)—and it appears to me therefore, that an acceptable and advantageous solution of the problem of religious instruction in educational institutions can be attempted here with greater prospect of success than almost anywhere else.

(2) Addressing the convocation of the University of Madras in 1887, Raja Sir T. Madhava Rao, a statesman who with Sir Salar Jung raised the stature of India in the estimation of the world, held up the ideal “everything of something, and something of everything.” This ideal combination, always difficult, of a generic knowledge of all subjects with specialised knowledge of one subject is becoming increasingly difficult, if indeed not impossible, due to the great advance of knowledge as well as to the extent to which specialization has been carried. But this does not justify, even if it may explain, the opposite extreme of enabling a young man to qualify for a degree in a state of complete ignorance of things fundamental. I understand and to a great degree appreciate the latter-day tendency of educational thought to allow students the widest option in the selection of subjects. But this must be subject to a necessary reservation. It ought not to be made possible for any one to go through the whole of his school and college and university education, without having to study, say his mother-tongue or the classic language in which are enshrined the treasures of his ancient lore, spiritual as well as secular, or the elements of the history and geography of his and other countries, or the rudiments of science. How to draw a curriculum or syllabus which will not be open to this grave objection and will at the same time not overburden the student, while it will also pay due heed to the nourishment of the soul and the strengthening of the body, is a most important problem which educational authorities have not yet been able to solve but to which they have got to address themselves with unremitting attention.

(3) I would earnestly urge the claims of the Ayurvedic and Unani system of medicine for State patronage and for recognition by the University. Fortunately the faith of people is still great in both of these indigenous systems while medical relief can be extended to our rural millions more easily and at less cost to the State by the adoption of those systems than by exclusive patronage of what is popularly known as the allopathic system. Bengal has served herself and India by most praiseworthy efforts to rehabilitate the Ayurvedic system. In the last two generations there have been in Bengal eminent Ayurvedic doctors whose skill and success have gone far to re-establish Ayurveda in the confidence of educated Indians. There are in Calcutta two first-class Ayurvedic colleges with hospitals attached—the Ashtanga and the Viswanatha—, the latter founded and liberally endowed by my distinguished friend Mahamahopadhyaya Kaviraj Gananath Sen Saraswati perhaps the greatest living exponent of Ayurveda. With him as Dean of the Faculty an efficient Ayurvedic college has been opened in Benares Hindu University. It is a fact too patent to need demonstration that indigenous institutions and systems have withered for lack of State support under a Government which has brought everything from the west. And thanks to the system of education inaugurated under the influence of Macaulay, Indians educated in everything English almost to the exclusion of India's culture, have come to believe more in things western than in their national heritage. In this point of view, it is no small good fortune that Indian States continue to exist under liberal patrons of learning and the arts. Among them the place of Mysore and its Maharaja is conspicuous. Mysore is renowned far and wide for its support of Sanskrit learning and India's fine arts. I am hopeful and confident, therefore, that I do not make a vain appeal when I plead for the recognition and the generous support of the Ayurvedic and Unani systems of medicine by the Government and the University of Mysore.

(4) I would request the authorities of Mysore University to consider the institution of studies in Journalism more or less on the lines of the course in the London School of Economics. I am glad to notice that Madras University is moving in this



direction. The newspaper press has come to stay. Whatever attempts, legislative or executive, may be made from time to time to regulate or control it, I do not suppose that any serious-minded person thinks it possible or desirable to suppress the press altogether. If, then, it must continue to exist, it is obvious that a more efficient and responsible press is greater advantage to the State and the community than one less efficient and responsible. This end, in my opinion, can be best achieved by the imparting of education to journalists in the subjects which they have daily and weekly to discuss. In our country more than in lands where education is widely diffused among the people, the press not merely records but instructs public opinion. Should not the instructors themselves be instructed? Courses of lectures to aspiring journalists on politics, economics and sociology, to name the three most important subjects, cannot but prove beneficial, if directly to the journalists, indirectly to the State and the community.

(5) More and more is it being recognized that English can never become the common language of the people of India, howsoever it may be diffused among a limited class. It is being equally recognized that there must be one common Indian language in which there can be exchange of thoughts among Indians living in the north and south, east and west. Thirdly, it is obvious that the only language which can serve this purpose is Hindustani. To say this is not to say that it can at any time replace one's mother tongue. Efforts such as are being made in Mysore for the development of Kannda must be continuously made in every state and every province in respect of the mother-tongue of its people. Without prejudice to this, I am clear Hindi should be included among recognized optional languages in schools and colleges all over India. The part of the country where it is least understood is the south. But it is encouraging to know that increasing number of men—and also women—of Southern India are studying Hindi, and the arrangements made under the auspices of the All India Hindi Sahitya Sammelan are becoming more and more popular year by year. I have noticed with pleasure that the classical languages of both Hindus and Muslims receive equal attention in this University. And I am glad that for the benefit of the latter, Urdu is extensively taught in the educational institutions of the State. I shall hope that the plea I have ventured to make for Hindi as a recognised language will be considered with sympathy.

Graduates of the year, it is now my duty to offer you advice to conduct yourselves in life in a manner befitting your position as *alumni* of the University of Mysore. Unfortunately, I am not over-fond of the pastime of advising others. Those who went before you were fortunate in being addressed by intellectual giants, profound scholars, great scientists. I am a mere journalist. As a student I was not a credit to my college and my teachers, politics having interested me too much and too early in life. And I am too conscious of failings, many and serious, to advise others with confidence. It is my duty to tell you that you must never neglect the paramount claims of physical health and strength, at once I think of myself and feel the awkwardness of one who has never taken care of himself advising others to do what he has always failed to do. I ought to ask you to retain a constant and living interest in the branches of learning which have been the subjects of your studies in the University. Dare I presume to this, being myself immersed in the day-to-day work of a journalist with little leisure for higher studies? Success in life is too prone to be belittled if not actually derided, and it is sadly true that often as it made the idol of man's worship and essential virtues are sacrificed at its altar. There can be no room for doubt in any healthy mind that success purchased at the cost of honour and duty is the most grievous failure. It is forgotten by the devotees of 'success' that it doth not profit a man to gain a whole kingdom if in the process he loses his soul. Nevertheless, one's ideal can never be failure. One's legitimate interest it is to achieve success in life, as in every task that one attempts, but one must be on one's guard every waking moment against the temptation to buy success by descent to unworthy methods. Success, yes, by every honourable means. But better far failure than success, if the latter cannot be had by adherence to Satya and Dharma.

With an active consciousness of my limitations, I may yet be able perhaps to say a word or two in the performance of the duty to give you advice, but before doing so, I have the far more pleasant duty to perform of congratulating you, graduates of the year, on the success that has crowned your scholastic efforts. Heartily do I felicitate you and wish you still greater success in the years to come. You will not complain if I congratulate with particular warmth the young ladies who have re-

ceived their degree to-day from His Highness the Pro Chancellor, and also those among you who have achieved distinction in their chosen subjects. The State of Mysore was a pioneer in women's education. The fame of your Maharani's High School spread far and wide even in the years when I was at school and college at Vizianagaram. Since then the institution has expanded into a college. While at this, it is my privilege to mention with honour and respect, Her Highness the late Maharani Sahiba, Your Highness's revered mother, of whose keen solicitude for the advancement of women's education and of their well being in every sphere of life, you of Mysore knew and I have read. Lady-graduates, you are the prophecy of the coming race of Indian women, on whose efforts in co-operation with men the country will depend for her future advancement. May you nobly fulfil your mission!

A special responsibility rests on the graduates who have achieved distinction. They are marked out as being among the minority of more than average ability and industry, who are capable of widening the bounds of knowledge by their specialized studies and devoted researches. On such men will the future depend far more than upon the average man. It is to them we shall look for our future Ranades and Bhadarkars, Tagores and Radhakrishnans, Boses and Roys, Ramanujams and Ramana. I earnestly hope that they will take advantage of the facilities afforded by His Highness's Government to pursue their studies and researches instead of being lured by the minor prizes of the services or the professions. It is specially incumbent upon them to remember constantly the beautiful motto of their *Alma Mater*—

It is the duty of all the graduates and it should be their honour and pride to live lives worthy of their religions, their race, their country and their education. The humblest and the least gifted can compete with the most favoured in practising the cardinal virtues of Piety, Truth, Service and Sacrifice. "Conduct" wrote Matthew Arnold, "is three fourths of life. And right conduct is fortunately not and need never be the monopoly of genius."

"Honour and shame from no condition rise,  
Act well your part, there all the honour lies

*Per Contra*, how many are not the cases of high-placed men famous in the worldly sense, of whom it can unfortunately be said without injustice "his honour rooted in dishonour stood"? My friends, remain young and hopeful!

"Youth is not a time of life, it is a state of mind  
Man is as young as his faith and as old as his doubt."

Exercise the faculty of criticism in all matters secular where Reason must sit enthroned. But recognize the place of authority in religion. Armed with the triple armour of Faith, Hope and Charity, go forth into the world to fight the battle of life, ready to "breathe the blows of circumstance. And at all times and in all circumstances, pray, never forget the claims of the Motherland upon your devotion. With faith in God, reverence for age and learning, deference for experience and wisdom, with humility and unselfishness, serve Mysore and India, with loyalty and patriotism. And never forget that it is the duty of every one of you to think and act in the conviction that the honour of Mysore and India is your personal honour.

## The Annamalai University Convocation

The following is the text of the Convocation Address delivered by *Sir Mirza Ismail*, the Dewan of Mysore, at the Convocation of the Annamalai University held at Annamalai Nagar on the 31st October 1935 —

Your Excellency, Graduates of the Year, Ladies and Gentlemen,

My first duty to-day is to thank Your Excellency for the honour you have done me in inviting me to deliver the Convocation Address to the graduates of the year. It is an honour that is doubled by the fact that the address is to be delivered in Your Excellency's presence. We all recognize the intense interest which you take in finding a solution for the age-old problems of India, of which the problem of

Education is one of the greatest, and your fervent desire to make, during your term of office, a substantial contribution towards the betterment of the country.

Your Excellency has selected me to address the graduates of the year and to exhort them, as required by the Regulations, "to conduct themselves suitably unto the position to which, by the degree conferred upon them, they have attained." I undertake the duty with the greater trepidation because I have still ringing in my mind the poignant sentences of pathetic article entitled 'Young India Protest.' "We are all here," said the writer, "the youth of India, politician-handled, therefore lacking in sound judgment, passing between the huge mills of an educational system universally condemned as literary, futile and expensive, yet persistently continuing. We are sent to educational institutions because our fond parents think our future is safe only with a degree. We entertain opinions and take sides because we are told to. We have very few distinct and characteristic interests of our own, but we are always listening to the arguments of others, nobody wants to hear what Young India has to say, why it scorns religion, distrusts superstition, doubts the elders, hates injustice, longs for equality. Therefore Young India protests."

Ladies and gentlemen, I do indeed recognize how difficult the times are, how perplexing the many problems that are facing us, and how gloomy seems the outlook for the educated young man in India to-day. And I have no panacea to offer for what is in truth a world-wide complaint. But I should like to assure you for my own part (and I feel sure that I might add a like assurance on the part of one of the youngest statesmen who have ruled an Indian province) that I do most heartily appreciate the young man's point of view, and that in the State in which I serve (and I am sure the same is the case in the Presidency of Madras) we do want to hear what Young India has to say and we look to Young India to lead us out of the fog of depression to the new day.

Graduates of the year, your University is one of the youngest, if not the youngest in India. The purpose with which it was instituted was not to have one more replica of bodies that teach the time worn subjects in the time-worn way, but to strike out a new path, and in particular to give special attention to study and research in respect of the languages of Southern India. I do not know to what extent the authorities responsible for the policy of the University have succeeded in freeing themselves from the tendency and temptation to fall into line, but there can be no doubt that the policy announced is a sound one, and meets one of the special needs of the country at the present time. Much has been said about the relative value of a study of English and of the vernaculars, and in particular about the use of the vernaculars, as the medium of instruction. To my mind the antithesis between the two is both superficial and unnecessary. Those who advocate the study of English have no reason to fear the competition of the vernaculars, nor need the advocates of the study of the vernaculars and of their use for instruction fear the competition of English. English is undoubtedly a most useful language to learn from every point of view—social, cultural, educational and political—and no university in India can afford to neglect it. It is a world language, it brings India into close contact with western thought and culture, and at the same time is one of the most powerful unifying forces in our own country. It will be the language of the Federal and the Provincial Legislature. Clearly it is the duty of every Indian University to encourage the study of the English language.

This should not, however, involve the neglect of the vernacular, which after all is the life-blood of the people. The educated young man is practically lost to his country, unless he can communicate his thoughts and his feelings freely and intelligibly to his countrymen in their own tongue. It is only by keeping intact this powerful bond of unity with his own people that he is capable of exercising any sound influence amongst them. More than ever you young men will find it necessary in the coming days to speak to the masses direct. So I advise you in all earnestness to equip yourselves adequately for the great task that lies ahead.

It is interesting to recall here the speech made by Sir Bartle Frere at the First Convocation of the University of Bombay in 1862, when he said "When I trust that we may henceforward look for profound scholars among the educated Hindus and Parsees, I trust that one of your great objects will always be to enrich your own vernacular literature with the learning which you acquire in this University. Remember, I pray you, that what is here taught is a sacred trust confided to you for the benefit of your countrymen. The learning which can here be imparted to a few hundreds, must go to a few thousands of scholars, must, by you, be made available through your

own vernacular tongues to the many millions of Hindustan. The great majority of your countrymen can only learn through the language which is taught them at their mother's knee, and it must be through such language mainly that you can impart to them all that you could communicate of European learning and science. In other words, we look to the members of a university such as this to perform a double task, to make of the vernaculars a supple and adequate instrument for the spreading of new ideas, and secondly to spread those ideas by instructing the masses in their own tongues.

It became the fashion some time ago, and has not ceased to be so, to look upon universities as places where culture was pursued to the exclusion of all other interests. Like other institutions for the promotion of education, universities have a treble purpose to serve in the social economy. In the first place they must foster individual development and educate 'the whole of man', in the second place, they must see that the young men who receive the stamp of university approval enter upon the world equipped to take their place in the economic structure of society, and thirdly, they must fit these young men to be good citizens. And citizenship, I would remind you, has a range which reaches beyond the sphere of politics and economics, and covers every branch of life, and makes a man conscious of his continuous obligation to society as the source of his rights and as the object of his service.

Thoughts of citizenship and of changes in the social order naturally turn one to the great changes that are in the making in our country. I would fain think aloud in your company and give expression to some of my hopes and fears for the immediate future. A new order is in the course of growth, not only in our own country but in the world at large, and evidence of the pains and tribulations that are the inevitable accompaniment of such a change is everywhere manifest. Actuated by the belief that the darkness of the night is but the precursor of the bright dawn, I ask myself in what manner our country is going to face the new task before her, how she is going to organize herself in order that she may play her rightful role, not only in the economy of the British Commonwealth, but also in that of the larger World Order to which mankind is looking forward.

I ask myself what is going to be the drift of events in our country in the immediate future, how the new constitution will work and what will be the attitude towards it of the young men that are now sent forth into the world with the impress of our universities. This is not the place nor the occasion to enter into any detailed examination of the provisions of the Act. It has its good points and its bad ones, both of which will lose their academic importance once the discussions die down and the real work begins. The more relevant considerations which need examination are the attitude of the people at large, and the efforts they will make to work the Act and mend it where necessary by right methods.

To my mind the great problem that will vex us in the years to come is not the innate and inevitable defects of the constitution, but two poignant evils of our national life—the two great dangers which are confronting India at the present moment, and which, there is reason to fear, may assume undesirable proportions unless they are properly controlled. I refer to communalism and provincialism. I need not dilate on the former—we are all only too painfully familiar with it in its various forms. I sometimes think that if each of us were to cultivate a real close friendship with a man of another community, we should soon come to realise how silly is our mutual warfare! I make this proposal particularly to students who are now forming life-long friendships.

As regards provincialism, with the slackening of control from the centre and with the inauguration of Provincial Autonomy, the tendency for each province to discriminate against the inhabitants of other provinces will become more and more pronounced unless firm action is taken to discourage it from now onwards. Provincialism carried to its extreme can only spell disaster to the country at large. You, graduates, who are leaders of tomorrow, have a sacred duty to see that this tendency is checked. It is for you to inculcate in the minds of your countrymen, in season and out of season, that they are all one people, belonging to the same country, and owing the same allegiance, whether professing this religion or that, or living in this province or State or that. What is harmful to one community or province or State cannot be beneficial to another. We must all regard ourselves, as indeed we are, as children of the same mother. A tremendous obligation rests on the shoulders of the present generation and the next. May Providence endow you with the necessary vision and grant you the necessary strength to fulfil it!

I should like to make one further observation in this connection. I would earnestly advise you to endeavour to place on a lasting and stable foundation the relationships between Britain and India. We live in a dangerous era. In spite of all the wonderful progress it has made in recent years, the world seems, on the whole, distinctly less honest and less honourable than it was "It is a world," to quote from *The Next Five Years*, "half strangled by economic nationalism, bewildered and thwarted by the breakdown of its international monetary system, menaced by the tension between 'have and have-not Sovereign States, and now surrendering itself to a mad piling-up of menace against counter-menace in the air' A strong, prosperous, and united India in alliance with Britain would wield enormous influence in the world. Together they can serve Humanity as no other possible combination of countries could. The synthesis of East and West, for which Lord Zetland so eloquently pleaded in Parliament the other day can be fostered it seems to me, only in India. It will be a potent means of controlling forces which are slowly, but unmistakably, coming into operation, and which may result in a clash of colour in a huge conflict between the white and the coloured races of the world. Britain, too, is realising—and will, I believe, appreciate in the future even more than in the past—the importance of India's good-will and support.

The country looks to centres of learning like the universities to supply both the vision and the power to enable the people to pursue the path of progress undismayed by difficulties and unhampered by doubts. It is the rightful and noble duty of universities to stand clear of violent partisanship to see things steadily and to see them as a whole. May we hope, therefore, that the universities will not fail us in this hour of our need, and will send out young men whose love of their country is equalled only by their discernment and by their capacity for the sustained pursuit of their ideals.

A college or a university is what its professors make it. The inherent vital element lies in the men who mould the thoughts of their students and in the ideals which they cherish and teach. The influence of a William Miller, a Theodore Morrison or a J. G. Tata is of incalculable value to generations of students.

It is unfortunate that in our country we have been so long preoccupied with constitutional issues, while so many larger and more urgent problems have been clamouring for a solution. In the field of culture we have not yet arrived at a satisfactory synthesis between the old and the new, between the claims of the venerable past and the call of the present, which comes to us clad in western robes. Even greater is the problem of economic development. That our country is poor and our standard of life low, that the rayat lives a life that is neither a credit to the administration nor a satisfaction to himself, are matters of common knowledge. The problem of industrial development has also become acute from a point of view that is of more direct interest to the audience I am addressing. The problem of unemployment is one of great dimensions all the world over, but the form it has taken in our country is a special one, namely, the unemployment of what are called the educated classes. I am not one of those that believe that this indicates that we have an over production of educated youth in our country. Far from it. At a time when there is urgent need for a vigorous forward movement in education, it can be only shortsightedness to hold that we have a superfluity of men of the class that is most necessary if more schools are to be opened in the country. Yet the fact remains that at present a large number of youngmen who have spent years of effort under trying conditions to get their degrees are finding that the prospect before them is barren. This is because the time-honoured avenues of employment are for the time being closed. Government service and the professions can expand only if there is prosperity in the country and prosperity means economic development. Therefore, whether we think of the interests of university products or of the country as a whole, whether we fix our vision on the unhappy graduates of our universities or on the familiar figure of the peasant toiling in the field, the path of economic duty is clear. Rural reconstruction must go forward apace together with the industrialisation of the country. Increased prosperity in the land, a higher standard of life, and a demand for the produce of our factories will enable Government both to fill its treasury and to expend its increased funds on a much-needed expansion of the development services.

Clearly, then, we have a number of practical problems that will tax all our real and resources. But there is something deeper. The idea of personal rebirth is cardinal in Indian thought, and perhaps the phrase 'national rebirth' best expresses the inward necessity of India to-day. Our spiritual resources are partly misused but mainly unused, and for both reasons discredited—and unfortunately they are discredited

particularly in the mind of the typical young men of our universities. This is why we have despairing proposals for the introduction of religion in university courses—an idea that is admirable until one seeks to give it practical shape. You can teach both ethics and citizenship to any extent, but it is definitely impossible to teach religion in universities while the religion of all is not the same. But if the teachers are animated each by his own religion, not pseudo scientifically sceptical as now they tend to be but tranquillised and inspired by religious confidence and love, the students too will find this current entering into them and their lives. By such influence our national rebirth may come. There is not time for me to try to describe fully what it may mean. One thing, of course, is the broadening of interest and zeal beyond the selfish. There is another very comprehensive thing which I may describe as 'order out of disorder'. I think that in a way it is true that if we had order in India we should therein have everything. Here is a theme that some philosophic graduates might work out what order would mean in India. Two of his section-headings might be—'Look at our streets, and 'Look at our assemblies'. I make bold to say that there is hardly an element of Indian life which is as yet governed by clear and disciplined order. And Government departments in their necessary reaction against this, find safety in that order without life which we call red tape.

I was both interested and amused to read of the great and notable efforts that the Chinese another people yet more deeply sunk in disorder, are making to get out of it. The New Life Movement there, fostered by Chiang Kai-Shek, has a number of very firm orderly principles. One small one is 'early to bed, enforced by police authority'. In a recent article this story is told "One young college man sat up late one night to complete a long report, only to be informed by a policeman that he was to destroy the manuscript because he had violated the injunction to retire early. In fact the student, tired and disgruntled, blurted out that the paper he had written was about the New Life Movement itself. The judge found it so well written that the student was given a position with the Movement's headquarters'. Other rules are thus described "The Chinese are not supposed to stare around. They must be quiet in public meetings, including theatres. They must keep in line when buying tickets, and going on or leaving wharves, cars or boats. Oh! that we might cultivate such order in India—such order in small daily things—for that would not only be a sign of a far more profound ordering in our thinking and doing but would also most definitely help to bring it about. I believe that I should not be far wrong in putting it like this—"When our boy scouts keep step in marching the salvation of India will have come!

Graduates, I trust and believe that your University has not only given you a liberal education, but it has also equipped you to face life's problems in a manly spirit. The true university fosters ideals, but always in such a way that they may be put in practice in the real world, not in drowiness or dreaminess or in vague enjoyment of poetic and religious abstractions, but in the resolute purposes to apply spiritual ideals to actual life. No doubt, the first business of every man is to win his bread. If he is sure of that, he can wander at his own sweet will through woods and meadows. But every man needs, not only something to live by, but also something to live for. A liberal education is a possession in itself, apart from its utilities and applications. Blessed is the man who has received such an education, for it kindles his imagination, enlarges his vision and opens to him avenues of knowledge without limit.

In this age of high pressure, we need men of strong character, rugged honesty and determination, men with insight and foresight, men with lofty ideas and ideals, in both Provincial and Federal Legislatures. The demand is becoming more and more insistent for an era of character as well as of brains in politics. The country must be led by men of outstanding character. We need men who truly represent our citizens, and safeguard their interests and welfare, whose every effort is bent towards the enactment of sensible, enforceable laws, appropriate to the advanced age in which we live. It is the duty of the universities to produce such men, and no duty can be more important, none more useful to the country, at a time like the present when "The modern world is confronted" (I am quoting again from "The Next Five Years") "by a new wave of violence in political thought and action. Democracy is again at stake. The struggle for liberty is once more a vital issue."

Graduates, let me remind you that there is no royal road to a successful life, as there is no royal road to learning. It has got to be secured by hard work and fixity of purpose.

At the same time, I trust that you will not forget the importance of relaxation. Life must not be taken too seriously. It is a great mistake to think that the man who works all the time wins the race. And let not leisure be mere resting, which is apt to mean brooding over work. Keep up the games you have learnt to play. Seek other interests also that can delight your leisure and relieve life's customary strain. Do cultivate the joy that is to be found in the finer things in life—the beauties of literature, art and music, and above all, the beauties of nature. Thence wisdom and consolation may come to you continually, your daily deliverance from worry and weariness.

Graduates, the conscience of the country asks to-day what is your dream? For everything depends upon that. Is it a dream of personal aggrandisement, or is it to be a nobler dream of advancement for your country? Why should not we in our own days and generation make the India of our hopes and ideals and loyalties kindle a new light for the sons and daughters of men, from which in the words of the English martyr, countless generations shall kindle the taper of their own lives, the light of order under law, the light of democracy conjoined with opportunity, the light of equality under liberty, the light of perfect justice and righteousness between man and man?

In this country, rich in everything that is good and of real worth, we may be hopeful of the future. Beyond the horizon of our temporarily somewhat beclouded vision, the skies of temporal and moral prosperity are bright and clear. Let us not be misled by those who see through darkened glasses, or look only at the reflection of their own distorted minds. We must both love and trust the future now if it is to meet our hearts' desire.

The Motto of your University is 'Faith and Courage. No better watchwords, no words of greater inspiration in your task could have been selected. You need to set out on the next stage in your journey in a spirit of faith, faith in yourselves and faith in each other, in a spirit of courage so that the obstacles in your path may not dishearten you. With faith and courage you will prove yourselves worthy of your country and her glorious destinies. And may the example of one great Indian who specially belongs to you, who is the living embodiment of all that is best in Indian culture, who has toiled long and hard and sacrificed greatly for his country—may the example of that great patriot be an inspiration to you throughout your lives! I need not tell you that I refer to your distinguished Vice-Chancellor, the Right Honourable Srinivasa Sastry.

Graduates of the Annamalai University, I wish you and your University and its Founder all prosperity and success in the years to come.

## Aligarh Muslim University Convocation

The following is the text of the Convocation Address delivered by the Hon'ble *Sri Gunga Shankar Bajpai*, Member Department of Education, Health and Lands, Government of India, at the Convocation of the University of Aligarh held on the 18th November 1935—

Let me first thank you, Mr Vice-Chancellor, publicly, for the honour that you have done me by inviting me to deliver the Convocation Address. I have already done so privately, but a public acknowledgment is also due. It would be a matter of pride, to figure in this capacity, at the most solemn annual function of any great seat of learning, the sense of pride in addressing you all to-day is greatly enhanced by two special considerations. I am, I think, the first Hindu whom the University has honoured in this manner. And, to the religious complement, is added the provincial, for the Hindu whom you have chosen for this mark of your confidence belongs to the U.P. I cannot hope to repay this honour by the eloquence or originality of what I am about to say to you, my many distinguished predecessors have set, for me at least, a standard too high to rouse any feeling but one of despair tempered by admiration. But I shall endeavour to do so by quickening an interest in the University, which has, so far, been primarily official, with the warmth of personal gratitude.

If the honour, Mr Vice-Chancellor, has filled me with pride, I make bold to say that it should be received by all of you with satisfaction, for it is a sign that the spirit of toleration, which your illustrious founder preached, still animates those who guide the destinies of this University. And the consciousness of that brings me to my first observation of substance. Toleration does not signify a passive virtue, if it is to sweeten life, it must be active.

This is true, in full measure, of a seat of learning which, like Aligarh, is the guardian of a distinctive culture. Let me explain myself. The portals of this University are open to men of all creeds, but its alumni are predominantly Muslim. The explanation of this is partly historical. The old M. A. O. College was founded by a great Muslim. It was intended primarily, to popularise, among Muslim youths, the new learning of the West. But we have to look somewhat deeper for the true cause of Muslim preponderance on your rolls. That must be traced to the individuality of Islamic culture. Time and climate have diversified the pattern and enriched the tints, but the central design stands out clear and unique. Now this is not a thing to be regretted, it is a thing to be proud of. Humanity would be spiritually much the poorer if all the races were fashioned after one pattern. But, as in the music, different notes assume full artistic beauty and power only when blended into harmony, so diverse human cultures must seek fulfilment of their separate beings in a cultural diapason. I venture to suggest that this must be the man, if not the principal, task of Aligarh. Its scope, in an Indian setting, needs no explicit definition, its imperative urgency needs no special emphasis. To indulge in paradox, its commanding appeal needs no reinforcement beyond a repetition of the famous words of Sir Syed Ahmed "Our motherland, India, is like a bride whose two beautiful and lustrous eyes are the Hindus and the Muslims. If these two will harbour ill will against each other, this charming bride will begin to squint, if they will seek to destroy each other, she will become one-eyed." To avoid that outrage on loveliness, all Indians have to strive. None can strive to better purpose than those who pass through these quickening springs of character and mind into the broad stream of national life outside, or those, who as custodians abide within and regulate the use of the life-giving waters.

Reflect, Mr Vice-Chancellor what advantages of tradition and milieu you have to achieve culture and through culture, communal harmony. The language of polite intercourse between the great majority of Hindus and Muslims in this Province represents a union between two great Aryan and Semitic stocks. It is a heritage to whose present day vitality and richness both Hindus and Muslims have contributed. In no other part of India, have the relations between the two communities been more friendly or more intimate. Within these provinces, too, exist the two institutions that were specifically founded to preserve and to transmit to future generations all that is finest in Hindu and Indo-Muslim cultures. I refer to the two Universities of Benares and Aligarh. For the high endeavour that I have advocated, what background of history could be more auspicious, what accident of geography more helpful?

But let not the scope of the ideal that I have placed before you be misunderstood. I have not pleaded for a fusion of individualities for any sacrifice of the essentials of tradition or faith. Both Hindus and Muslims would be unworthy of themselves if they could learn to live in peace and good-will with one another only after an act of cultural *Nivrasana*. The peace between them that I envisage is not a peace of extinction but a peace of mutual understanding. I wish to see them united in a patriotism, conscious and convinced of common interests, sustained and strengthened by a determination to live and let live.

So far I have argued in a purely idealistic vein, but the objective which I have endeavoured to describe also has a practical justification. It is true that India is a large country with a teeming population, it is also a poor country whose financial resources are limited. Every rupee that is spent on education must be made to yield the maximum possible value, we have no margin for fanciful extravagance, however captivating the lure. The moral that I am trying to draw must be obvious. Universities, indeed all advanced educational institutions in this country, must avoid all but essential duplication and must endeavour to specialise, or else, in R. K. the Vicory's wise words, there will result not only diffusion of effort but also reduction of efficiency. The circumstances of Aligarh, and my remarks also include the great University at Benares, make the specialisation of effort for which I have pleaded earlier, not only desirable but obligatory. The claims of the natural sciences, of technology, of the hundred and one new branches of knowledge that transcend the fertility of soil



invents and Transatlantic wealth can magnificently house and elaborately equip should not be allowed, I submit, to make us forget the claims of our own heritage—the riches of philosophy, of literature, of religious experience and speculation that give to Asia and to this particular corner of Asia, India, a renown which only our own neglect can dim. Can the imagination of man, Mr Vice-Chancellor, turn to nobler lights or his energies be bent to finer service? Let the heart of each one of you answer by its pulse beats.

But Mr Vice-Chancellor, whether we approach this objective as idealists or as realists—let me say, in parenthesis, that I recognise no incompatibility between the two—two practical questions will confront us

*First*—How to avoid wasteful overlapping. In the U P alone there are five recognised Universities. Throughout India the number is 18. They are all autonomous bodies. How should they effectively concert their activities so as to secure for India the maximum of benefit that their efforts can compass?

*Second*—How to secure that the precious temple of culture, though open to all, is entered only by those who are worthy to worship at its altars.

May I say that these are questions consideration of which, in the national interest, will brook no delay. So long as they remain unanswered, an immense and tragic wastage will go on. Wastage of money, of human energy, and, most painful as also the most dangerous of all, wastage of human lives through a training out of tune with their aptitude and their environment.

You may ask. You have propounded the questions. Have you any answer to suggest? I confess, without a sense of shame, that I have no ready-made answer to give. Indeed, no one man can. These are questions of extreme, if not unparalleled complexity. They stir deep-rooted convictions, popular prejudices, vested interests. They must knock at many doors secure admittance into many strongholds. They must be carefully looked at before their right treatment can be settled. It will need time, imagination and courage to handle them adequately. But one word of comfort I can tell you, though it has been spoken before it will not lose by repetition. In the language of constitutional lawyers, Education may be a transferred provincial subject, but Education is first and foremost a national service, which enters vitally into most aspects of national advancement. Though in no way desirous of interfering with the provincial administration of education, the Government of India can play an important part in the development of education by providing, at least an opportunity to the various educational authorities concerned to meet together, to face these questions, to prepare answers. The Government of India have, therefore, taken steps to reconstitute the Central Advisory Board of Education. That Board will hold its first meeting shortly. I rejoice that you, Mr Vice-Chancellor, who pleaded with much persistence and eloquence for its revival, are a member of the board, and that you will be enabled to give it, from your abundant store of educational experience and knowledge, advice and wise guidance.

The Board is the main contribution of the Department, of which I am temporarily in charge, to the systematic study of these two far-reaching questions. There will be cynics in plenty to scoff at it, the mountain will be ridiculed for having produced another mouse. I do not admit the justice of the slight implied in the simile, but let even those who are contemptuous of rodents remember the fable of the enmeshed lion.

I have a strong temptation, Mr Vice-Chancellor, to say something on the second question that I have posed. Educational reconstruction is one of the most widely discussed problems of to-day. None so humble that he may not have views on it. It touches all and, therefore, must be pondered by all, and as it goes to the very root of the problem of living intelligently, usefully and happily, it is not a problem for educationists alone. That must be my excuse for dwelling, a while on this topic. Why have we this wastage at all? Easy and, therefore, partially or even wholly incorrect answers spring to the lips. The State is apathetic. India is not sufficiently industrialised. Other similar half-truths can be repeated, but a little reflection will show that only a small percentage of those who pass through the great Universities, even of highly industrialised countries, find employment in industry or in the service of the State. A more interesting enquiry would be as to what proportion of those who pass through schools ultimately make their way to the Universities, and, of those, who do not go beyond the school stage, how many stop at the end of the primary stage, how many discontinue at this, or some later point in the school stage of education, to vocational training. I would sound a note of caution against too

sweeping generalisations from the results of such enquiries. The economic conditions of no two countries are exactly alike, what fits the U S A. may not suit India. But the sort of figures that you are likely to get would, I think, confirm the commonsense conclusion, that economic distress must result from educational disequilibrium. It is not a matter of numbers, a quest after mathematical maxima for each grade in the educational ladder will be not only futile but unfair. It is a matter of individual aptitude. Shape your system of education so as to bring the best out of each man or woman, that is what education was meant to achieve, but what a sense of false values is apt to obscure. Get rid, then, of your false values. That, in my humble judgment, points to the right path, the mile-posts along it must be explored by experts.

And now Mr Vice-Chancellor, I must address a few words more directly to the graduates. This is pre-eminently their day, a day of mingled feelings, of joy at one stage in life's task accomplished, of sadness at the physical parting from friends that, for those who leave the University hereafter, today's ceremony must involve, of tribulation or confidence, according to circumstances and temperament about the future. My message to all is one of congratulation and good will. May success attend them all hereafter, may the dreams of each—is not youth the season of dreams—come true in rich measure. But although that be our prayer, Mr Vice-Chancellor, and their wish, we know that fortune is a fickle Jada. Can we send forth these young men into the world with any armour against her caprice? Most of it, from helm to heel, has, I have not doubt, been fashioned and fitted within the precincts of the University. Steel is no protection against the shafts of Fate, mind and character alone provide this. Both are trained and tempered here. I shall not indulge in platitudinous admonitions at length, but I shall venture to quote a few words of Plato: "Choose wisely and live diligently. Avoid unrighteousness, intemperance and cowardice, and, let me add, that ignorance that comes of forgetfulness, and of neglect to remember what you learnt. Even if these precautions do not lead you to success measured in worldly goods, they will help you to peace with yourself and to the respect of all upright men. And so, hopes and hostages of the future, farewell."

## The Agra University Convocation

The following is the text of the Convocation Address delivered by *Sahabji Maharaj Anand Sarup* of Dayalbagh, Agra, at the eighth Annual Convocation of the Agra University held on the 23rd November 1935 —

Mr Vice-Chancellor and Members of Convocation,

I am grateful to the University authorities for the honour they have done me by inviting me to address the Convocation to day. Being associated with the Agra University from almost its very inception and having participated in almost all its Convocations, I knew well that the privilege of such an invitation had always been extended only to men of outstanding merit, and, being conscious of my personal limitations, I understood well that my duty lay in keeping the room clear for a more capable person, but there came the temptation of satisfying a long-cherished desire of approaching the custodians of a University, and through them, the other educationists in the country, in respect of a matter which has perplexed me for a considerably long time and which I regard of supreme importance for the good of my countrymen, and I accepted the invitation.

About 20 years ago, I had occasion to visit Hyderabad Sind and witness the majesty of the greatest river of Northern India. As our boat glided merrily on the rolling waters of the proud Indus, my attention was attracted by a beautiful grove of date-palms clustering on its right bank. On enquiry from my host, I came to learn that there were several such groves along the river bank and that they formed the remnants of the conquest of the province by the Arabs in the 8th century. The army of Muhammad Ben Qasim brought with it a plentiful supply of dates for rations and wherever the army camped during the course of the campaign, groves

of date-palms sprang up from the date-stones cast away by the soldiers. "Ah, what a parallel," thought I, "between the conquests of the Arabs and the conquests of the Spirit in the evolution of life!" Starting from the lowest rung of the ladder of the evolution, the Spirit first conquered the forces of inorganic matter and converted a portion of it into organic matter, and then evolved mind and ultimately reason. We are told by the scientists that, for an unthinkable long period of time, our planet was but a whirling mass of minute particles of lifeless matter, spinning in space at a great velocity. In course of time, when after undergoing necessary transformations, it became fit to be a home of life, particles of protoplasm appeared on the surface of its waters and organisms were formed. To say the least, it was a red-letter day in the history of our planet, for it was now that the forces of inorganic matter received their first crushing defeat and it was now that the forces of Spirit succeeded in evolving the first form of life on it. With the firm footing thus acquired, the forces of Spirit proceeded from conquest to conquest and evolved innumerable forms of life in succession till at last they produced the first man. The forces of Spirit, satisfied with the advance thus made, appear to have dropped the idea of evolving higher species and directed their attention to the evolving of the mind and ultimately produced the modern man, so well-grown and developed in reason. I dare say it would not be wrong to hold that, like the beautiful groves of date-palms that now adorn the right bank of the river Indus, the numerous species of life abounding on our planet are but the remnants of the conquests of the forces of Spirit and the products of their eastwards. Muhammad Ben Kassim perished long ago and so did his conquests, but immortal is Spirit and imperishable are its conquests. It is still alive and active and busy with its conquest of the residual resistance of matter. To my mind it is now endeavouring to evolve a race of supermen in whom life and the attributes of Spirit will have the fullest expression. For look to the insatiable thirst for higher knowledge in the present-day man and also to the profound impulse of every normal parent to raise his children beyond himself, and consider what these symptoms indicate. They clearly indicate that, under the influence of these instinctive passions and with the aid of the leverage they provide for human progress, humanity is slowly but steadily growing more completely towards a higher type which struggles to be born out of our darkened souls. We might even go to the extent of saying that the thirst for higher knowledge and the instinct of parental love in us are but urges from the struggling spirit-entities in our bodies or, to be more accurate, are but manoeuvres of the forces of Spirit to secure an early victory over the residual resistance of matter. Interpret them as you may, the fact remains that humanity is steadily advancing towards a form of life that will be rich in knowledge, that will comprehend, control and appreciate its surroundings better, and that will not rest till it has realized Ultimate Reality.

If these readings are correct, yea, if such is the natural order of things in the world, education of children becomes a sacred duty and Universities become sacred institutions. For, is not education defined as "the technique of transmitting, as completely as possible, to as many as possible, that technological, intellectual, moral and artistic heritage through which the race forms the growing individual and makes him human. Admittedly, all children are born helpless fools, and it is education that makes them behave like human beings, and it is education again that has placed mankind to-day on a plane higher than any generation had reached before. And what is a University? It is an organisation through which the past pours down into the present its mental and cultural inheritance and the present makes the future bright and glorious. It is true that the Agra University is not a "teaching" University. Nevertheless, so far as the work of helping humanity in advancing towards its great destiny is concerned, it is, without doubt, making its contribution as successfully as any other University. For, to say the least, the Agra University is an assemblage of scholars and educationists, ripe in experience and firm of purpose, guiding and stimulating 15 affiliated Degree Colleges which function as excellent centres for the dissemination of knowledge in arts and sciences and for raising the intellectual level of the population of vast areas of the United Provinces, Ajmer-Marwar, Gwalior, Rajputana and Central India, yes, guiding and stimulating all these Degree Colleges and helping them in creating within their precincts a uniform atmosphere of pure and clear thought, which thousands of their students, without being put to the inconvenience and expense of mastering its places far away from their homes, breathe in from day to day and under the influence of which they form a habit of mind that will last them through life and enable them to comprehend, control and appreciate their surroundings better and will, from time to time, urge them, at least

some of them, to move onwards in the direction of Ultimate Reality. We must, therefore, beware that we are now assembled in sacred precincts and that the function we are performing this afternoon is not a mere mechanical repetition of an annual ceremonial.

Although the first of the present Universities in India was founded only in about the middle of the nineteenth century, yet, as the world knows, this country has inherited high educational traditions from very remote times. For example, we read in the Upanishads accounts of students resorting to the Ashrams of great Rishis in quest of spiritual learning and we come across, in Chapter VI of the Yajur Veda, distinct passages which may be taken as forming the subject-matter of a convocation address by some Rishi of hoary antiquity. But it is remarkable that, whether in India or in Europe, seats of learning were originally founded as essentially religious institutions and for a long, long time they shaped and guided the destinies of the people by turning out batches of young teachers with a religious outlook of life, who spread their ideas and ideals over the length and breadth of the country. As, in these institutions, special emphasis was laid on the virtues of celibacy, poverty and obedience and the three great aspects of social life—the family, the industrial society and the State—were neglected, we had a civilisation which cared more for unworldliness than for better worldliness. In course of time, as these institutions grew in size and importance, their heads were compelled to seek help and protection from kings and potentates, and as religion degenerated into a henchman of political power, these institutions became interested in philosophies and sciences that helped political power or answered to the whims of the ruling monarchs. Nevertheless, as those were days of rude culture, of constant warfare and of the rule of might, and these institutions offered to the student excellent opportunities of a life of leisure, contemplation and relief from the humdrum worries of life, they continued to attract superior brains and, through them, to materially affect the destinies of the people.

Coming to the present times, we find that as monarchies have almost everywhere given place to democracies and the inventions and discoveries of Science have changed the outlook of human life throughout the entire civilized world, there is an ever-increasing demand in every country for first-rate leaders and thinkers, statesmen and legislators, scientists and economists, industrialists and inventors. Now leaders and thinkers, statesmen and legislators, scientists and economists, industrialists and inventors do not as a rule drop from the heavens. They are generally the product of education and surroundings. No wonder, therefore, that all wise Governments throughout the world are devoting the utmost of their attention and resources to the developments of their Universities by extending their equipments and expanding their spheres of activity, and many sensible and prudent philanthropists are directing their charities to the strengthening of the financial resources of the Universities of their respective countries. It is, however, a pity that the University of Agra, under whose auspices we have assembled here to-day has got a different tale to tell. Admitted that it is a comparatively young institution born and brought up in rather adverse circumstances, admitted also that, of all the provincial Governments in India, the Government of our province is supporting the largest number of Universities and spending the largest amount on higher education and that on account of economic depression it has not been possible for it to find any large sums of money for the upbringing of this latest addition to its family of Universities, but I respectfully ask, who prevents the princes and landlords, merchants and moneyed classes of the various States and towns it serves, from coming forward with decent donations and helping their University in strengthening its position and extending its sphere of utility?

But this is only by the way. I was just telling you that, democracy having replaced the monarchical forms of Government, there is an ever-increasing demand for first-rate leaders and thinkers, statesmen and legislators, in every country. It is an open secret that every man and woman of to-day feels a burning desire for acquiring excessive wealth, for rising to the highest position and for possessing all the comforts of life, and it is also common knowledge that, underneath the outer glitter and vivacity of present-day life, there is raging a marked nervous discontent of the soul. As a consequence, we find to our distress that the struggle for life is becoming more and more desperate from day to day, and rancour and strife, the enemies of peace and happiness, hold sway over the hearts of men. Every mediocre, owning a few broad acres or a substantial bank account, aspires to be appointed a Minister and every ignoramus who can just command a few votes, strives to be elected to the Legislatures. Clearly, it is the present-day

wrong spirit of democracy that is principally responsible for all this discontent and confusion, and I do not at all exaggerate matters when I say that the existing curse of conflicts in politics, in economics and in the soul will not be lifted from any society till, through higher education, it is able to produce leaders, thinkers, statesmen and legislators, who will recognise the natural inequality of men in intellect and will, and understand the benefits of giving preference to the good of the society over personal interests and appreciate the subtle difference between happiness and pleasure.

And what is true of societies, is *mutatis mutandis* true of nations also. Just ponder over the happenings of the last two decades. Would any one deny that the Great War brought misery and ruin to all the belligerent nations, and that not one of them feels the happier for it. For a long, long time, both during the war and after the conclusion of peace, it was solemnly declared that the Great War was fought to end war permanently and assurances were given that the Great Powers would on no account allow a repetition of its orgies. But, alas, like individuals, nations too have short memories. Two years ago, ambitious Japan broke away from the League of Nations violated all principles of international peace and snatched provinces after provinces from China by force of arms, entailing indescribable misery on its poor populations. And hardly had the civilized world reconciled itself to the rapaciousness of Japan, Italy has appeared on the scene, brandishing its sword in defiance of all canons of morality. Now, would you not agree that it is bad statesmanship that prompts these wars of aggrandisement by nations and it is false philosophy and narrow outlook of life that breed bad statesmanship and encourage the acquisitive impulse to dominate over the hearts of the people of any country?

And then look to the backward condition of our own country. Just look to the antediluvian instruments and tools its agriculturists and artisans are still using, look to the deplorable condition in which millions are living in its insanitary towns and villages, look to the lamentable state of its indigenous industries, look to the appalling percentage of illiteracy in its population, look to the effects of grinding penury on the physique of its masses, look to its senseless communal strifes of every day conducted in the name of God and religion, and lastly, look to its frightful rate of child-mortality, and draw your own conclusions. Do not these clearly indicate that this country is leagues behind the countries of the West, and even Japan, in matters social, industrial and economical, and would you not agree that it is but for want of proper education in the country that disease exacts from it their toll of human life, without let or hindrance, from year to year? Please believe me when I say that no amount of legislative restriction and no amount of external pressure can effect any appreciable improvement in the conditions prevailing in this country and that there can be but two ways of doing it. You can rid it of its present evils either through magic or through education. And since we are not believers in magic, we shall have to requisition the help of education. Education, more education, education made perfect, is the only panacea for our country's ills and evils. With more of real education, I daresay, we can easily raise the general level of intelligence of its teeming millions, create in its future generations, the habit of clear and deep thinking and of appreciating new values, and turn the acquisitive impulse of its people from its present direction to the direction of Truth. It is only in such circumstances that our countrymen would understand their surroundings better and make up their minds to come in line with the other advanced countries of the world in matters social, industrial and economic, and put an end to their senseless quarrels over trifles, and take to the pursuit of ideals that will bring them happiness. It is only then that that would India produce its Tagores and Radhakrishnas, its Bose and Tatas, its Suleimans and Saprus, in plentiful, and would its merchants and manufacturers, directors and technicians, scientists and inventors, financiers and inventors, collaborate in freeing the country from poverty and disease and raising it to its proper place of honour in the polity of nations, and would its statesmen and politicians, and legislators and public workers unite heads and hearts to devise ways and means to bridge over the wide gulf that at present divides the hearts of the rulers and the ruled, and, last of all, would its Universities function in the fullest sense of the term. Hundreds of devoted and well-trained professors and researchers would then be seen applying themselves assiduously and whole-heartedly to the execution of their self-imposed accumulating task of studying all branches of human knowledge without exception, of accumulating all available knowledge from the four quarters of the globe, of exploring new fields and contributing to the existing stock of knowledge their own

respectable quota of new knowledge and of transmitting these vast treasures to the younger generation along with their own lofty ideals of life and service. Given a few centuries of sustained effort and continued progress of this kind, given a sufficient number of generations of diligent and go-ahead youngmen of this type, and Truth or Ultimate Reality, which has so far eluded the scientist and the philosopher, would be localized within measurable distance, and hundreds of our young men, the products of the great Universities of those days, pure of heart, free from doubt and prejudice that cloud human understanding, with minds emancipated from the authority of other human minds and fit to come under the authority of Truth itself and eager to view and receive everything in the light of actual experience and interpret it in consonance with the dictates of commonsense, would make brave ventures to cross the great chasm, and scores of these high souls, undaunted by the difficulties or trying conditions of the journey, would one day set their foot on the blessed Land of Promise. Encouraged and emboldened by the success of their compeers, hatches of other youngmen would, one after the other, come forward and cheerfully follow their example and thus, slowly and steadily, there would be evolved a race of higher men—men in whom life and attributes of Spirit shall have the fullest expression, men through whom the gracious object of creation would be truly fulfilled. And when this is accomplished, religion, philosophy and science shall stand reconciled and the vast Universe, which now appears a great mystery, shall be recognised as the greatest 'Teaching University' and the forces of Spirit, shall have good reason to rejoice and sing hallelujahs at this their greatest victory over the forces of matter. Men will then readily recognize one another as brothers, and nations and communities will sink their differences and work for the common good. Mankind will then come to understand the proper use of the acquisitive impulse, and raucous and strife, distrust and jealousy, that disfigure the human society of to-day, will cease to exist in the world.

Such in brief, is the importance I attach to education and such are the hopes that I entertain in my mind in connection with the advancement of higher education through the agency of our Universities. Before proceeding further, I would like to make it clear that mine are not the hopes of a visionary or of a religious dreamer. Mine are the hopes of one who pins his faith to sound practical experience and the trend of world-events. For has not University education, in spite of all its faults and failings, transformed life conditions here in India during the last fifty years or so, and are not all our present political, social and industrial leaders, our authors and poets, artists and architects, philosophers and scientists, of whom the country is so justly proud, one and all, the products of our colleges? If University education, though necessarily imperfect and restricted in character, both qualitatively and quantitatively, has worked wonders in the past in transforming a conservative people like the Indians and has succeeded in producing among them an awakening the like of which was unheard of during the past several thousand years, it should be but just and reasonable to hope that, perfected and extended, it would work still greater wonders in the future.

Besides, take into consideration the amazing progress that scientists of the world have made during the past two decades in the matter of probing into the mysteries of life and the universe, and mark the remarkable ingenuity they have displayed in ordinating and synthesizing the discoveries of the various sciences, compare some of the present-day theories of science with those of the last few centuries and judge of the revolutionizing effect the former have produced on human thought and outlook of life. Speaking of equality, Proudhon wrote in about 1843, "The enthusiasm which possesses us, the enthusiasm of equality, is an intoxication stronger than wine, deeper than love, a divine passion and furor which the delirium of Leonidas, of St. Bernard, or of Michelangelo can never equal." And the wonder is that people have been changing to this wild enthusiasm of equality in spite of clear and indisputable evidences of History to show that equality has never existed in any country or community. For example, who is there who does not know that in every country in the past, the priest and the warrior classes, possessing superior brains and strength, have always been in the enjoyment of superior rights and privileges and that the masses everywhere have always remained hewers of wood and drawers of water? The teachings of History, however, were persistently ignored, and people, annoyed by the stern realities of life, sought consolation in acting on the principle that the easiest way of curing a disease was that of not admitting it. So it was believed and declared over and over again that all men are equal and, as such, deserving of equal rights and privileges. And if I may be allowed to do so, I would add that even to-day this very false idea constitutes the principal plank

in the socialist platform and represents the principal feature of attraction in democracy. But look at the knock-down blow it has recently received at the hands of science. The doctrine of evolution based on the rocky foundation of the discoveries of geology and biology, has shattered the old conviction into pieces and the belief is now growing in the civilised world that by nature all individuals, races and species are unequal, for, if it were otherwise, there could be no selection, no emulation and no development whatever. I am sure that, in course of time, as this great truth of science is sufficiently assimilated and appreciated by the civilised world, there will be a general revolt against that soul killing teaching of democracy, and mediocrity having been consigned to its proper place in the rear, there will be a world-wide demand and search for men of superior type, for 'peaks and pinnacles'. Now men of this type cannot be manufactured to order. A genius has a greater possibility of emergence from the group of talented scholars gathered round a great teacher. And as Universities are centres where great teachers sit to teach and talented scholars assemble to learn, this agency alone will be competent to meet the world demand for the superior type of men.

Let us next turn our attention to the teachings of the science of Psychology and ponder for a moment over the conclusion they lead us to. The science teaches us that every new body on arrival in the world finds it, as has been happily put by Professor William James, a "big, booming and buzzing confusion". Parents, teachers and other helpers assist the child in clearing up his confusion and in harnessing his powers to definite lines of action. So assisted, the child builds an inner world of his own which of course has to be so constructed as to fit into the needs of the outer. Now the outer world, over which we have no control, forces its demands on us ceaselessly during every moment of our existence which naturally entails a severe strain on our powers. The moment we fail to meet any of its demands, we are ruthlessly punished with dissatisfaction, disease, pain and misery. We hate these punishments and try our best to avoid them. But how many of us do really succeed in the attempt. It is difficult to say. We only know that such of us as are, partly through the assistance received from parents, teachers and other helpers, and partly through self experience, enabled to realise some what accurately what sort of world we are living in and how to behave so as to meet successfully the demands of the outer world enjoy lives of comparative peace and happiness. If this reading of the teachings of psychology is correct and if it is really possible for man to make life happy and peaceful in this vale of tears through assistance from parents and teachers and self experience, there need be no hesitation in coming to the conclusion that higher and perfect education alone can save us from the four great curses of human life, for it is through such education the parents and teachers will understand the outer world correctly and learn what sort of help they are to extend to the younger generation to enable the latter to build up a proper inner world and lead a peaceful and happy life by managing to meet the demands of the outer world successfully.

Lastly, let us study the trend of world-events of the present day. The invention of quick means of travel and communication that have brought the different races of men into a very close contact by eliminating distances, the invisible association of the scientists and philosophers of the world through books and journals that has resulted in uniting the scientific minds of the world into one great organisation and rendering it possible for man to probe deep into the secrets of life and the universe from all possible directions, and the most important of all, the coming into existence of a world Court of arbitration known as the League of Nations, and the spirit of willing co-operation displayed by so many nations in developing this body into a powerful and extremely useful medium for securing world-peace, all clearly indicate that humanity is slowly but steadily being prepared to attain to the high ideal of the brotherhood of man by forgetting all differences of race and colour and overcoming all geographical and political barriers.

Thus it should be clear that the hopes I have formed for myself, are not altogether groundless. I must, therefore, confess that I have so far paid no attention to the growing disquiet and uneasiness in India and foreign countries owing to the large-scale unemployment among educated classes. As a member of the U.P. Educational Unemployment Committee, I had occasion to hear from several people that extension of University education was responsible for increased unemployment in the country and that if the country would not immediately cry halt to the blind worship of this fetish of the West, there would soon be such a plethora of discontented and disgruntled graduates in the land that it would become impossible to main-

take peace and order. They argued that the absorptive power of the Government departments and the various vocations had utterly collapsed as was evident from the fact of everyday occurrence that applications from hundreds of University graduates were received when a post of Rs. 30 per mensem was advertised in any paper and that if steps were not taken at once to restrict University education, conditions were bound to grow worse from day to day. To speak the truth, it was only the other day that I read in a newspaper that, in the Bihar province, as many as 3,000 candidates assembled at a police office on the basis of a rumour that the department was taking seven recruits to fill vacancies in the ranks of its constabulary. To cut the matter short, I would readily admit that there is considerable unemployment in the country in these days, but at the same time I would beg leave to point out that Universities are not employment-securing or bread-procuring agencies. May be that the courses of study provided in the Universities are misfit and require to be modified or extended to suit the needs of the time, may be that some of the young men taking up courses in arts and sciences in colleges require to be diverted to other branches, but I see absolutely no justification for restricting University education. You may by all means enlarge the curricula of your colleges, multiply specialities and allow students to have a wider choice of studies, encourage technical education and devote large sums of money to it than to ordinary education, but, in the name of goodness, do not suggest any retrograde step in connection with University education, for such a step will not only put a stop to all future progress in the country, but also revert it to that old condition of intellectual chaos which it has taken full three quarters of a century of a sustained effort to remove.

I must here add that I am not unaware that measures have been taken in Western countries to restrict University education with a view to reduce unemployment among their graduates, but clearly it would be wrong of us to use this fact as an argument in favour of such measures being adopted here in-as-much as the proportion of University students to the population of our province bears no comparison at all to the proportions obtaining in those countries. For example, in Germany the proportion is reported to be 1 to 600, in Scotland 1 to 450, and in the United States of America 1 to 125, while in our province the proportion is 1 to 4,100. The fact that our province has begun to feel the pinch of unemployment although the proportion of its University students to its population is but one thirtysecond of that in the United States of America, I would make bold to say, is indicative of its industrially backward condition rather than of over production of graduates by its Universities.

We have now reached the stage when I would like to take up an important point deserving of our serious attention, for, it is a point which would not only help us in completely exonerating higher education from the charges laid at its door, but would also enable me to realise that long-cherished desire of mine of which I made mention at the outset. You must be remembering that I spoke a little while ago about the necessity of turning the acquisitive impulse of the people to the direction of Truth. Now this acquisitive impulse of man, when directed towards the objects of the world, is known as "greed" in the simple language of religion. I am definitely of the opinion that this vice in human character is the root cause of most of our present-day troubles and confusion and that the unemployment problem in the world is but an offshoot of it. If we just look dispassionately at the large-scale arrangements of Nature, we find that, in her bounty, Mother Nature has made ample provision for the sustenance of every form of life and if men were but to apportion its gifts among themselves without permitting greed and avarice to come in, all men, women and children living on earth would have enough of food to satisfy their hunger, enough of wearing material to cover and protect their bodies and enough of fresh air and sunshine to enjoy sound health. But the accursed vice of avarice and greed, the vile desire to grab and hoard, have made these gifts too few for us. Enquire what made Japan wage war against China and snatch its provinces. Well, it was the desire of grabbing the soyabean of those provinces. And why is Italy spending its millions on the invasion of innocent Abyssinia? Well, it is the desire of grabbing Abyssinia's rich mines and fertile fields and hoarding more gold in Italian vaults. And why is there so much unemployment in every country in these days? Well, once again it is the desire of grabbing and hoarding. The appetite for more gold, quickened by the experience of the prosperous days of the last great War, has urged every nation to increase its output of manufactures and food stuffs and, helped by improved scientific methods and devices, every country is now producing much more than it can absorb or sell, and the



consequence is that the whole world finds itself in the grip of an unprecedented economic depression and millions of men are starving in the midst of plenty. Expedients like tariff walls and other artificial barriers, instead of improving matters, have only accentuated the difficulties, and the unemployment problem stares every nation in the face.

Thus it will be seen that love of gold and other earthly possessions, over production and cut-throat competition, jealousy and distrust, the products of the passion of greed, are the real cause of all our troubles and also of unemployment in every country, and clearly, therefore, the remedy lies in the eradication of this evil from human character rather than in any thing else. The need of the moment, therefore, is not the restricting of education, but the perfecting of it by removing all its existing defects and adding to it all those branches of knowledge which will help humanity in overcoming its lower appetites and satisfying its higher cravings. A University, as the very name implies, is expected to teach universal knowledge. In the long ago, as I have already mentioned, all seats of learning were essentially religious institutions and the study of religion and religious literature was the be-all and end-all of education, for, in those days, religion comprehended all the requirements of human life. But conditions have now changed. Worldliness—not better-worldliness—has taken the place of unworldliness, and religion and theology is assuredly a branch of human experience. The narrow scientific spirit, pathetically says Prof. Radhakrishnan, 'which starts with a prejudice against religious experience and thinks the inward life of the mystics to be a worthless dream, is not the true philosophic spirit. The data of science and religion, observation and meditation, are the field of philosophy.' You believe in science and teach it, because it is based on observed facts or experience. But you have to teach philosophy also, because without philosophy science is helpless. Science looks out with eyes or through instruments and tells you what it sees, but it says nothing about ultimate choices. For these you require the light of your whole experience and the wisdom to which scientific knowledge is mere raw material. If such is really the case, if such is the position of scientific knowledge, pray tell me why have you excluded religion and religious experience from your studies and why do you confine yourselves to the experience of the world of sense or of the world at surface? Is it not false empiricism which holds you back from religious intuitions? You take it from me that you can never make life happy with mere abstract intelligibility—the ideal of science. You must also control the lower appetites of man and satisfy his higher cravings with the help of religion. When religion attempts to dismiss physical facts and phenomena as unreal, you protest, but when it is your turn, you dismiss all religious intuitions as non-existent and feel no compunction! I wonder why it does not ever strike you that materialism is but one practical attitude to life and religion is another, and, as such, both deserve equal consideration in a summary of 'universal knowledge'? I am sorry I feel constrained to say that, in discarding this important branch of knowledge from our curriculum, we forfeit our claim to the use of the word University for ourselves. You may depend on it that Truth which we all so much love, can never be comprehended with the physical instruments of science, nor can Ultimate Reality which we so much adore, be realized with the mental effort of philosophy. Providence has located within the human body a special spiritual faculty, and it is the exclusive function of religion to teach man all about the faculty. When that faculty is developed in us like our physical and mental faculties, we shall be able to perceive Truth and realize Ultimate Reality in the same manner as we now perceive and realize the sun with our physical eyes. And when this takes place you will be both astonished and amazed to find that Truth—the goal of science, Ultimate Reality—the goal of philosophy, and God—the goal of religion, are but three names of the same Supreme Essence.

I have now finished what I wanted to say and have only a word or two more to address to the graduates of to-day. I would first of all offer you, my young friends, my hearty congratulations and the felicitations of all other members of the University at your well-deserved success. I would next impress upon you what your country, that has done so much for you in providing facilities to acquire higher knowledge, expects of you. Your country gave you well-furnished and well-equipped colleges and provided therein capable teachers willing and anxious to impart to you the best of their learning and knowledge and I have no doubt that, you, on your part, have done your very best to receive, chew and digest internally all the learning and experience that were placed at your disposal and also to imbibes the spirit of your teachers and assimilate the

traditions of your *alma mater*. Your country, in return, expects of you that you will make the best use of the knowledge imparted to you and that you will play your part in the struggle of life nobly and well. It expects that acquisition of power and wealth alone will not be the aim and object of life for you and that you will not lose sight of the high ideals of life that all great men of the world and the great men of your own motherland always set before themselves, and lastly, that you will, to the best of your ability, help your countrymen in advancing forward intellectually, socially and economically.

I am aware that you had many occasions of getting into your ears that the universal economic depression has now made the struggle of life more bitter and desperate, but aren't you going out to the world better equipped and better fitted than your predecessors of ten years ago? I admit that there is considerable overcrowding now in almost all trades and professions in the country, but you may take it from me that there are yet enough opportunities of getting work for every capable young man. The Head of every business concern and the Manager of every farm and factory are still on the look-out for really capable assistants. You may not straightway be offered terms of employment suited to the demands of your high ambition, but if you just make it convenient to accept such an offer when it comes your way and put your shoulder to the wheel wholeheartedly and show your grit and merit to your employer, you are sure to find the road to the promotion clear before you. Go to the wide world, my young friends, therefore, with hearts, stout and brave, and plunge yourselves wholeheartedly in the struggle of life, forsaking all notions of false pride and dignity, and proud yourselves worthy of the noble traditions of your *alma mater* and the high expectations of your country. Your country, to-day, like every other country of the world, urgently needs men with brains and personality—men in whom character is wedded to intellectual capacity. Go to the wide world, therefore, and prove to the people that you combine in yourselves both these qualities and that you are in every way fit to meet the needs and requirements of your beloved country. "Many an army," says Macaulay "has prospered under a bad commander, but no army has ever prospered under a debating society." May God help you and protect you from coming under the command of such a society!

## The Andhra University Convocation

The following is the text of the Convocation Address delivered by *Rao Bahadur T. S. Tyrumurti*, Professor of Pathology, Medical College, Vizagapatam, at the Convocation of the Andhra University held on the 28th. November 1935 —

Mr Chancellor, Ladies and Gentlemen,

I am very thankful to His Excellency the Chancellor for the high academic honour he has bestowed on me in asking me to deliver the Convocation address of this University on the present occasion.

On previous occasions, such honour fell fittingly on the broad shoulders of renowned scientists, famous philosophers, great engineers, devout divines, legal luminaries, learned judges and able administrators.

I am somewhat surprised that a medical man should have been chosen on the present occasion. I take it to be the desire of His Excellency to give an opportunity to a member of every learned profession, so that academicians, the general public and the students, who take their degrees, may have some idea as to how the various problems connected with education and the welfare of the country are viewed from different angles by men of different professions. I consider that this gesture of his is of very happy augury, as it is an indication of how His Excellency will deal with the problems connected with this University, of which he is the Chancellor, and with the great and difficult problems of administration of this province, which he is called upon to solve taking into consideration different view points. I regard His Excellency's invitation to deliver this address as a compliment paid to the profession to which I have the privilege to belong. It is also a recognition of that important

part of medical science—Pathology—which unravels the mysteries of disease processes and lays the foundation of the whole Science of Medicine, including Preventive Medicine.

There are only two professional colleges affiliated to this University, one of which, the Medical College, is located at the headquarters of the University. The College is older than the University.

A resolution was tabled at the last Senate meeting that the University should take over the control and management of the Medical College and the King George Hospital. The idea of the University administering a Medical College and the Hospitals attached to it, though it is a natural growth in the progressive western countries, is not new even in India. There is the example of the Lucknow University. But the University acted wisely by accepting the advice of our Surgeon-General, Sir Frank Connor, who, while sympathising with the aspirations of the University, cautioned us to defer the matter for the present and renew the application after the Government had spent the necessary funds to improve the College and the Hospital, in pursuance of the recommendations of the Inspectors of the Medical Council of India.

It is well known that the ruthless axe of retrenchment was levelled at the Vice-Chancellor Medical College a few years ago. But the catastrophe was prevented by the broad-based academic sympathy of the then Surgeon-General of Madras, Major-General C. A. F. Sprawson, who is now the Director-General of the Indian Medical Service, and the firm determination and vigilant care of our illustrious Pro-Chancellor the Hon'ble the Rajah Sahib of Bobbili.

The stability of the Medical College was again threatened by the adverse report made by one of the Inspectors of the Medical Council of India, who recommended that the M. B. B. S. Degree of the Andhra University be not recognised for inclusion in Schedule I of the Indian Medical Council Act, as, in his opinion the defects pointed out by him were of such a nature as to make the institution "insufficient". In his opinion, neither the College nor the Hospital was sufficiently equipped or sufficiently staffed. He observed that he saw no reason to assume that the Government of Madras, who are responsible for the maintenance of this College, would sanction sufficient funds to carry out the recommendations, because the repeated attempts, which had been previously made by the successive Principals, the Surgeon-General and the Minister-in-charge, had been without any success in the past. He felt certain that the Government would make no other answer than that previously given. Even if there be any change of heart, the proverbial delay of the Government in the carrying out of the recommendations would mean some years, and it was, therefore, unwise on the part of the Medical Council of India to recognise the M. B. B. S. Degree of this University.

Subsequent events have shown that prophecy is a risky game. At any rate, this prophecy has been falsified by the prompt action taken by our Chancellor, Lord Krishna, and his Government.

In consultation with the Principal, Major J. A. W. Edden, and Sir S. Radhakrishnan, the Vice-Chancellor of this University, Sir Frank Connor, the Surgeon-General of our province, drew up a programme of improvements for the College and the Hospital as regards staff, equipment and buildings. Through the kind assistance of His Excellency's Government, a sum of Rs. 16 lakhs (non-recurring) is likely to be sanctioned to give effect to the complete scheme for the expansion, equipment and the re-organisation of the College and the Hospital and an additional sum of Rs. 1 and an half lakhs per annum towards recurring expenditure. To all those who have been responsible for bringing about this happy consummation, the Andhras will ever remain deeply grateful. We hope and pray that no future financial earthquakes will shake the stability of this really most useful institution, which has a great future before it in the prevention, cure and alleviation of human suffering, in the betterment of the health of the people of the Andhra Desa, and as a centre for higher medical education and medical research.

It is very depressing but interesting to compare the progress made in Public Health during the last century of British administration in India and during the same period in England. It was only just one hundred years ago that the first steps were taken to organise public health measures in England. It is stated that the stimulus for this was an epidemic of cholera. Chadwick and Symon and the Victorian Sanitarians, who planned the main lines for the progress of public health, will ever be remembered. Compare the State Medicine of England which has become the all powerful social service organisation of that country to-day with our present position.

More than 16,000 medical men are in insurance practice, over 60 per cent. of expectant mothers are attended to in anti-natal clinics, every year 40 per cent. of infants and children are looked after in child welfare centres, over 53 per cent. of school children receive medical inspection, 140,000 suspected cases of tuberculosis and their contacts receive attention from tuberculosis specialists, 96,000 persons are treated at the venereal clinics. There are over 180,000 hospital beds, excluding those in mental hospitals and more than twice this number are provided by voluntary organisations. I leave you to compare these figures with those which can be gathered in a similar area of our country.

Again to quote Dr Jamieson's figures for England and Wales, more than £26 millions is spent annually on medical services by local authorities and over £31 millions on environmental sanitation, including housing.

What is the reason for this difference between the Public Health progress in England and India? In the opinion of General Megaw, who was the Director of the of the Calcutta School of Tropical Medicine and later D G, I. M. S., in England sanitation has achieved its victories not merely by the preventive measures taken against disease but also because the public co-operated, and an improvement in the economic standards of living was taking place at the same time as the work of disease prevention, but in India the progress has been poor and this is due to "the new wine of scientific sanitation having been poured into old bottles of antiquated customs".

But General Megaw's reason by implication condemns the Indian people as a non-co-operating lot. But it is, however, gratifying to see his statement flatly contradicted by no less an authority than Col W G King, the best part of whose service has been spent in laying the sound foundations of Public Health in this Presidency which brought him into intimate contact with the people, that "the average educated Indian is not only capable of grasping the benefit of but of receiving, with very much gratitude, health education by practical demonstration of sanitary works of the community".

It cannot be doubted that education is the most desirable ally of sanitation, though it might be contended, not without some reason, that the educational policy has not pursued profitable paths and has, of late, been ploughing barren sands. This is realised by the Government and the people and has awakened them to a consciousness that all is not well with education in this country and that it needs a re-orientation and reform in all its branches.

Col King had rightly remarked that Politics cannot disregard Political Economy, nor Political Economy Sanitation—in its broadest sense—as applicable to man and beast and that, if sanitation be an integral part of politics, equally must laws be evolved for restraint of the selfish instincts of the individuals, which endanger the health of their neighbours, and their corollary multiples of communities and nations.

From the early days of the East India Company its administrative officers were provided with sanitary advisers. In 1859 a Royal Commission was appointed to enquire into the heavy mortality among the officers and ranks of the British and Indian troops. The Commission issued the report in 1863. In 1864 Sanitary Commissioners were appointed for Madras, Bengal and Bombay. The Sanitary Commissioners of Madras and Bengal recommended the organisation of the Public Health Service. This was pigeon-holed with the remark that the funds must be provided by the Provincial Governments. The plea that education should precede sanitation was advanced. The Government considered it inadvisable to force public health on a population, that was resisting the innovation. It wanted to create goodwill by curing disease and widening education to prepare, as it were, the ground on which the seeds of Public Health may be sown later.

In 1869 the appointment of the Sanitary Commissioner was transferred from the Military to the Civil Medical Department. A junior Army Medical Officer was considered enough and was subordinated to the Surgeon-General. Sometimes later plague broke out and the Plague Commission, which was constituted to enquire into this disease, recommended a status of equality to the Sanitary Commissioner with that of the Surgeon-General, the Head of Curative Medicine. Subsequently, within a few years the Sanitary Commissioner was again thrust to a subordinate rank to the Surgeon-General. Later, his name was changed from that of the Sanitary Commissioner to that of Director of Public Health.

In 1899 the Madras University undertook to institute the qualification of *Licentiate in Sanitary Science*, which was later changed to *Bachelor of Sanitary Science*, a qualification equivalent to that of D P H. in Great Britain. Other Indian Universities followed

the examples of the Madras University Civil Assistant Surgeons qualified themselves for degrees in Sanitary Science. Sanitary Inspectors were trained. At an earlier date Col King recommended the utilisation of qualified men for Public Health work in Municipalities and District Boards. In those days the District Medical Officer was also the Sanitary Officer of the District. I have had the honour of being the District Medical and Sanitary Officer of one of the then biggest districts in the Presidency which was sometimes ago bifurcated into two districts.

I can testify from experience that the District Medical and Sanitary Officer could not have carried out satisfactorily either his medical or his sanitary duties from the modern public health point of view. He clamoured for separate assistance for the discharge of sanitary duties. Civil Assistant Surgeons were appointed as Sanitary Assistants. The Surgeon-General wanted that these men should be appointed by him and subject to his control and discipline. The District Board protested that he who paid the piper should have the right to call for the tune. The Sanitary Commissioner was a mere passive witness in this ugly squabble for power.

Later, the nucleus for a Public Health Service was laid, almost every Municipality and every District Board were compelled to have medical officer with Public Health qualification to look after the Public Health of the local bodies concerned. These District Health Officers and Municipal Health Officers were placed under the Director of Public Health, who was also given a few assistants of the rank of Assistant Director of Public Health. In this presidency our thanks are due to Col. Russell for the inauguration of the present well planned scheme of public health service. Even here Madras took the lead.

It should, however be acknowledged that public health appointments under Municipal and Local Boards were at the beginning not attractive. Even with additional encouragement, these appointments are not eagerly sought, but they are taken up, because better openings for service are not available for qualified men. The report of the Ministry of Local Self-Government for 1931 contains the following statements:—"The reluctance of professional men to accept service under Municipal Councils is a menace to the future of sanitation of this Presidency. Even men qualified as sanitary inspectors avoid service under local bodies, if they can get other employment. Things have improved since, but the improvement is due to unemployment and the overcrowding of the professions."

We must reckon with the fact that 'Preventive Medicine has come to occupy a higher place than that of 'Bottle Medicine.' In the Dictionary Medicine is defined as "the art of curing, preventing and alleviating disease." This is due to a general realisation that the physician should be equally interested in both Curative and Preventive Medicine. The efforts of such eminent persons as Dr Jameson, Col. King, General Mogaw, Col Russell and others should be augmented by the other members of the service, the profession and from among the public, interested in Public Health work, by the insistence on the fact that the most essential factor in the development of Public Health in India is the question of cost. To the question of Sir William Osler why malaria should not be stamped out of India as it was done in Panama, Sir Leonard Rogers is reported to have pointed out the impossibility of such an improvement, because in most Municipalities in India the whole of the work—teaching, hospitals, schools, roads, sanitation—had to be paid for out of an income of 2 or 3 shillings per head of the population.

A healthy nation is largely a question of money. Health has to be purchased with money. Like all other good things it cannot be had for the mere asking. A nation must be healthy to become wealthy and it is only wealthy nations that have attained to high standards of health. Judicious expenditure of wealth can create health. The absence of health inevitably leads to absence of wealth of the nation as of the individual. Every one should remember that the "first wealth is health", and that "within human limits health is purchasable by communities."

I earnestly hope that the truth of Col. Russell's statement, that in no sphere of human activity can richer dividends be earned than by judicious investment in the preservation and promotion of the health of the people, will be fully understood.

Cruel catastrophes, harrowing horrors of famines and highly sponsored appeals for the sick have proved successful in arousing public sympathy and in the collection of the necessary funds. But the voice of the appeal of Preventive Medicine seems to be a cry in the wilderness. Philanthropists have come forward to endow beds or build wards or dispensaries but I am yet to hear of a single endowment by any one in this country for an institute of Preventive Medicine, the services of which are non-specta-

cular, Preventive Medicine, though despised to-day in India, will be enthroned in its proper place to-morrow. Our philanthropists will, I hope, bear in their mind the saying of Sydenham that the effect, even the slightest reduction in the incidence of sickness, suffering and death, must always be a matter of 'greater felicity than the riches of a Tantalus or a Croesus.

Lt. Col H. E. Shortt, Director of the King Institute, Guindy, in his address to the Rotarians in Madras last August, is reported to have suggested that the funds provided for higher education, i.e., the amount expended on Universities, may be diverted to the promotion of the physical well-being of the people, by which he means endowments for Medical Research. I do not consider that this suggestion will find favour. There is no doubt about the need for the re-orientation of University Education with the objects of introducing useful reforms in it. But the mere diversion of a part of the amount now allotted to the Universities to public Health Department will only starve both the Universities and the Health Department. I, however, agree with him that the University Education, which is mostly of an academic nature, is being poured in many cases into bodies physically ill-equipped. The poor physis of our University students has been repeatedly pointed out in the reports of the Medical Inspections of University students in different parts of India.

I have been myself an eye witness to the haggard look, bent back, sunken eyes, emaciated frame and other signs of poor physis of the graduates, who come up in the variegated colours of their academic robes in an impressive procession to bow before the Chancellor and take their degrees. The convocation function, which ought to leave a happy buoyant feeling has often given me a sense of depression, not only due to the doubts as to the capacity of the graduates to keep their heads above water in the sea of unemployment, into which they are driven from the portals of this University, but also to the melancholy prognosis, that the large majority of them are physically unfit to weather the cruel storms of many diseases, which abound in their neighbourhood.

During recent years a remarkable advance has been made in the Science of Nutrition which has resulted in a re-orientation of Public Health problems. Public Health work is not merely the control of diseases from spreading and the defending of people against attacks of disease but it aims also to create a maximum physical well-being. Nutrition plays a very important part in increasing the stamina and vitality of the nation.

This science of nutrition is slowly changing the dietetic habits of the people. In the industrial wealthy countries the old bulky predominantly starchy diets are giving place to lighter but balanced diets, richer in animal proteins. We find an increased consumption of milk, butter, cheese and other dairy products, sugar, eggs, fruits and green vegetables.

Increasing attention is being paid to food production and distribution. People are realising that the world's food production can be increased many times without increasing the area of cultivation, if only they make use of the available scientific knowledge to the fullest extent. Have not engineering and biological sciences ridden certain parts of the world of malaria and other deadly diseases, which prevented men from going there and cultivating the soil and turned dreary deserts and sickly swamps into fertile fields and green pastures and vegetable and fruit gardens?

There are those who deplore a Nation's adopting a policy of economic nationalism and aiming at the ideal of economic self-sufficiency by the barriers of customs and high tariffs against the import of food-stuffs. But the fact remains that this spirit of economic nationalism is rapidly spreading.

Poor nutrition lowers vitality and leads to disease, and disease in turn to the poverty of the people. Higher wages need not necessarily lead to better nutrition. Popular education in the science of nutrition, however elementary it may be, is very necessary for the well-being of the people. The attention paid to nutrition, even in the curriculum of medical studies, is inadequate at present. It is very satisfactory to note that the small book on the 'Elements of Nutrition' by Col McCarrison is being more widely read, by being translated into the vernaculars of this Presidency. There is also a Department of Nutrition in the All-India Institute of Hygiene and Public Health, Calcutta. Post-graduate students who take a course in Public Health will in future study the science of nutrition. The nutrition laboratory at Coonoor is serving a very useful purpose in undertaking research in nutrition and is under the management of the Indian Research Fund Association.

It is hardly necessary for me to say that the first help to the Nutrition Laboratory Coonor, came from this part of the country, from the Rajahshah of Parahimedi who, by a princely endowment of a lakh of rupees, has given a great impetus to research in nutrition, thereby drawing the attention of other Zamindars, Rajas and Maharajahs to the importance of this new science of nutrition and giving a lead to them to help this Public Health cause.

In Japan and Soviet Russia, Nutrition Institutes are connected with the State Departments of Public Health and with the Universities. The American Dietetic Association has a large body of nearly 3,000 members. It is recommended that a chair for Dietetics should be created in each of the medical schools and colleges. It would be to the advantage of both research work in nutrition and the teaching of the subject to medical students and others, interested in the science, by the specialists attached to the nutrition laboratories, if the laboratories are shifted from Coonor to Madras or to Vinsagapatam. A Nutrition Institute has been recommended to be erected and endowed and if this fructifies, I hope it will not be located in a place, that is not a University centre with medical colleges and hospitals. In such a centre there is the additional advantage of an intellectual contact between the nutrition specialists and other scientists, whose collaboration would be of immense value and whose work may be correlated with the rest of the Science of Public Health.

The value of teaching elementary principles of nutrition and simple rules in regard to diet is recognised in other countries. In Boston and other parts of America there are Nutrition Classes. There are five Nutrition Clinics in London. The Department of Agriculture in U. S. A. disseminates information on nutrition and rational diet among the people. The importance of publicity and propaganda is well recognised.

Dr. Aykroyd, the Director of the Nutrition Laboratories, Coonor, has drawn our attention to the urgent need in this country for a detailed enquiry into the dietetic habits of the people in the different provinces, and into the prevalence of food deficiency diseases. I hope the necessary financial aid for this investigation will be forthcoming and the enquiry commenced very soon.

The League of Nations Health Organization has in view the constitution of a permanent Commission to study the problems of nutrition. The general problem of nutrition to-day is the need for the harmonising of Economic and Public Health Development. I believe the different aspects of the problem can be better tackled by shifting the Nutrition Laboratories from Coonor to Madras.

The report of the Director of the I. L. O. at the 19th Session of the International Labour Conference in June last, has drawn attention to the relationship between adequate consumption and a proper standard of healthy living. The fact that large masses of people are at present underfed or malfed is not open to dispute. The foundation of a reasonable existence should be that amount of wages which would enable the worker to obtain a minimum of healthy diet for himself and his family and a healthy shelter for them. The report also states "No one can doubt that there is immense scope—may I urge, urgent need—for the increasing consumption of most kinds of fruits for almost every country in the world." Increase in consumption would go to solve the agricultural problem and also to improve health, so as to reduce the budget expenditure of Government on medical aid. The increased efficiency of the population would increase the production of wealth and stabilise political conditions and solve to a great extent the difficult problems of unemployment.

Especially in our country poverty is the most important factor which has to be considered in the solution of the food problems. We cannot raise the purchasing capacity of the people without exploiting the internal market of the country more intensively and also the external market, if possible, thereby affecting a marked rise in the level of agricultural prices. Countries which have no natural conditions for the production of all their food requirements cannot aim at the ideal of self-sufficiency in the matter of food-stuffs. But it is generally held and supported by authoritative opinion that India, which has an infinite variety of soil, climate and other natural resources, need hardly go beyond her boundaries to produce a sufficiency of food-stuff, to give an adequate and well-balanced diet to the whole nation.

"Neither Asclepius nor his daughter, Hygieia, is represented as in tears, with the attributes of mourning, but instead Asclepius is armed with serpents, the symbol of wisdom and convalescence, and Hygieia is bestowing warmth and succor—Beautiful symbols of Health and Preventive Medicine" (Dr. D. W. Osbald, M. D.).

"With health everything is a source of pleasure, without it, nothing else whatever it may be, is enjoyable. It follows that the greatest of follies is to sacrifice health for any other kind of happiness, whatever it may be, for gain, advancement, learning, or fame, let alone, then, for seeking sensual pleasure" (Schopenhauer).

Lost stamina and lost health make for poverty. Political power, economic progress, educational advancement, scientific research, industrial expansion—in fact, even good habits and noble aspirations, cannot be got by mere chance. Hygiene plays an essential part in the rearing and maintaining of a healthy Nation.

All religions tell us that it is a sin to foul the mind or contaminate the soul. Does it not also teach us that it is also a sin to defile the body?

What is the use of holding Health Exhibitions which have degenerated into an annual *tamasha*, whose effect is of ephemeral nature? The 'Gospel of Health' has to be preached in a sustained manner every day in the year and a Health Museum should be opened, at least one in every district, to which a permanent staff should be attached for publicity and propaganda. This 'Temple of Hygiene' should be so built as to attract the people of the district to go on a pilgrimage for worship to be blessed with the knowledge of how to secure and keep health for themselves.

There is such a thing as Physical Morality. It is not only a duty to one's own self but also to his neighbours, the community, and the Nation and also to other Nations and future generations.

Democritus said "If the body and soul were to sue each other for damages, it would be a question whether the landlord or the guest were more to blame".

'Dynamics of Health' is the Science of Health. Health is never static. It is a constantly changing dynamic force. Good health gives vitality, vigour and vim. A realisation, that health is a dynamic progressive force and that vitality is the inherent, latent doctor in us, which resists disease or makes us get well quick, should engender in us desire to foster health and to study Hygiene, which teaches us how to get and keep health.

Man's transgressions of the Laws of Health are not forgiven. Diseases have been compared to thieves and murderers, and the Preventive Medicine of the present day recognises that it is far more sensible to employ Scotland Yard Detectives to track the Criminals of Disease than to employ an Army of Doctors for the cure of the same. "Prevention is better than cure" has become well-worn by repetition. But it is worth repeating, until such knowledge leads to action. There is only one inebriety, which, instead of being censured, can be commended and that is the intoxication with the 'Joys of Health'.

To the question which may reasonably be put to me, why I should talk to you about 'Health' on the present occasion, which was not expected to be used for a health talk or for propagandist purposes of the Health League, my reply is that it is not realised how all this propaganda is wasted, so long as Hygiene does not form an essential part of the school curriculum in all its stages. Graded courses in Hygiene, which is after all the most important subject from the personal and community points of view of healthy living, should be prescribed in all the classes, right up at least to the Matriculation standard.

"*Mens sana in corpore sano*" "A healthy mind in a healthy body" is a true saying and a truism admitted by Psychologists and Psychiatrists. A healthy body is necessary, if the mind should be healthy. Unless the mind is healthy, good habits and good character cannot be formed. Persons without character and conduct in life are a drag on and a danger to Society. If we realise that the essential virtues can be fostered only by a healthy mind working in a healthy body, we will not lose any time to make Hygiene (including Mental Hygiene) a compulsory subject of the school and college curriculum. What avails man, if he is in the process of gaining wealth loses health of body, mind and soul?

I hope that Your Excellency's observation, during the recent Prize Distribution Function of the Government College at Mangalore, would have obtained sufficient publicity already. But it is worth repeating. "Education does not merely mean stuffing one's brain with facts, it means that, in order to be able to use those facts, one must keep healthy, so that he may be able to make use in future life all the knowledge and learning that he may get, when he was at school or college." I wish that the above observation of Your Excellency is put up in bold blessed letters on the motto in every Educational Institution.

In comparison with other progressive countries, the position of India, from the public health point of view, is anything but satisfactory. Though the economic condi-



tion of the people has much to do with their state of health, the problem of tackling the deplorable state of health conditions cannot be solved by looking at it purely from the economic standpoint. It should be remembered that even in the western countries, where the economic position of common man is infinitely better than that which obtains in India, there is still plenty of misery of diverse kinds. But it should not, however, be lost sight of that a certain level of comfort is absolutely essential for healthful living.

It is not the multiplication of worldly goods and our wants which make for human happiness but human happiness depends to a considerable extent on a sane outlook on life, which can be brought about by what Everett Dean Martin calls "a liberal education." The creation and growth of a sane outlook on life is attempted in other countries which have scientifically planned their educational progress through the medium of Mental Hygiene Clinics and by the inclusion of Mental Hygiene as an important subject of study for a liberal education.

The three most important general objectives in education to-day are (1) the imparting of knowledge, (2) formation of good habits, and (3) teachings of wholesome attitudes to human environmental influences by the training of a primary human emotions. From the beginning the educational organisations have pursued the first objective only. The study of Psychology and its influence on education have resulted in a greater realisation of late of the importance of the formation of habits from the very early stages of a child's education. A man might have mastered Ethics and yet lead an immoral life or be a Philosopher, whose Philosophy fails him in the hour of trial, or be a medical man who knows and preaches to others all the rules of good health but fails to make use of that knowledge with regard to his own health. There are many people who do not put the knowledge they have gained into the everyday life of the practical world. Knowledge by itself is useless put into practice. It is being increasingly realised that formation of the health habits is more important than mere knowledge about health.

It is a sad commentary on our present day education that it does not aim at teaching the student how to live and in what the real happiness of life lies. It is Psychology again that has drawn our attention to the significance of the part played by the various human emotions in making living happy and successful. The answer to the question "Is life worth living?" that it depends upon the lover is not only true physiologically but also psychologically. The training of the emotions to create wholesome attitudes and reactions to outside influences should be the third educational objective. Wholesome emotions are attempted to be strengthened and undesirable emotions weeded out in Mental Hygiene training.

The preaching of the Gospel of Mental Health is more necessary than the propaganda for compulsory physical education. It is no doubt true that body and mind react on each other but there is no use of a giant frame if it is to harbour a weak mind, far better a frail frame which enshrines a strong and well developed healthy mind. Emotional self-control, the cultivation of normal relations with one's neighbours and a knowledge of the real wholesome Philosophy of Life are a few of the many benefits which can be derived by a comprehensive course in Mental Hygiene.

Prof. William McDougall has described that the heart of the human personality, its "cylinders," are the primary emotions as fear, anger etc. If these are removed, we should be, mentally like springless clocks or fireless steam engines. Mental hygiene will help the individual to self-discipline and create in him the desire to subordinate the self and merge it in the larger interests of the "bigger self," i.e., the Community. In that sense it is not true that a man has to lose himself in order that he may find himself. If we search deeply, we will find that happiness can result only from a well integrated personality, which is able to respond successfully to the varying stimuli of painful or pleasurable nature, which impinge on the personality in daily life. The necessity, therefore, for self-discipline and for the development of certain higher and more ennobling interests beyond the daily struggle of "getting and spending" needs no advocacy.

It is the study of Philosophy that can enrich the soul and enlarge the mind and lead us to the acquisition of higher values in life. Philosophy is an important subject of study for a sane and healthier outlook on life. No person can be considered to have had a liberal education, if Philosophy did not form part of his studies. Philosophy should supplement Science (used in ordinary sense) and Science should pervade Philosophy. It is in such happy embrace that real liberal education is born.

George Burrow (Louvengro) can no derive happiness from the blue sky and the changing effects of the seasons that he asks himself "Is it not worthwhile to live?"

On the other hand to the vast majority of men Wordsworth's words are too true — "The world is too much with us getting and spending We may waste our powers. Lads we see in nature that is ours"

The importance of the study of Biology is well recognised in Europe and in America where the subject forms a compulsory course for school going students. In our country only the students who choose Medicine or Agriculture as their vocation appreciate that a sound biological knowledge stands them in good stead. I hope the defect that the Natural Sciences have not been introduced so far in the Andhra University College of Science would be noted and remedied at an early date. The teaching of Biology should be of a more practical nature including sufficient laboratory work and ample observations in the field. It is regretted that in the examination for the Intermediate there is no practical test even in the Physical Sciences. No examination in a science subject can be considered to be complete unless the knowledge of the candidate is tested by an oral and a practical examination. It is probably to this kind of examination in theoretical knowledge that we owe the reputation of theoretical intellectuals which other nations have given us.

Biology teaches what life is and how life's environment is constantly changing and how the organism reacts to such changes. It teaches the physical basis of living things and that division of labour is associated with specialisation of structure in the increasing complexity of animal and plant life in the course of its evolution. The student of the subject obtains also clear ideas regarding animal instincts, reflex actions, memory, intelligence, methods of growth and reproduction. On the basis of the above knowledge he obtains some idea of variation and heredity and a desire to study 'Eugenics', which considers the well being of the race.

The study of the plants and animals in relation to human affairs and human progress, a knowledge of disease germs and defensive powers of the body against them and an appreciation of the remedial measures adopted in public Health measures, can not fail to be of invaluable benefit to the student and to the country. Finally Biological knowledge has evidently played a great part in raising the standard of living by increasing the ability to earn higher wages and creating ideal citizens who are a source of strength to themselves and to the State.

Biology tells us that human race can be improved by good environment and by good education and that the belief, "that truck horses will breed only truck horses, the trotting horses only trotting horses" should be given up.

Though even the desirability making Biology a compulsory subject of school education in India is being tardily admitted, there are not a few persons who even now doubt its value in the school curricula.

It appears to be the practice to give some words of advice to the graduates of the year, when they assemble at the Convocation function to take their degrees. I do not propose to do anything of the kind. Youth is in revolt and resents advice. Such advice is construed to be gratuitous and may even be felt insulting. Advice not paid for is not valued. Respecting youth sentiment, I shall not bore you with what will be considered to be platitudes.

But I shall be failing in my duty, if I fail to congratulate the graduates of this year on their success, as otherwise, it may be considered to be ungentlemanly or bad manners on my part. I was hesitating at first whom I should congratulate—the successful graduates or the unsuccessful candidates. There is a pleasure in the enjoyment of the fruits of the chase. In the pursuit of knowledge those who had worked hard have secured success and possibly distinctions. I wish I do not mar their feelings of rejoicing in the slightest manner. In this world pleasures are so few and come so rare but pain abounds and comes frequent.

But there is also pleasure in the mere chase though it may have ended unfertile. If the unsuccessful students had been sincere in their attempt to obtain as much knowledge as they can absorb in the prescribed course of their studies, they need not consider that they had wasted their times. Let the failed candidates not get disheartened at his failure. Failures and obstacles exist only to be overcome. The failure should be an incentive to subsequent better planning and renewed and vigorous attack.

The best part of a man's life is the stage of his life as a student as it is mostly pleasant and carefree in the corporate life of the residential students of a University. If you utilise fully the opportunities which are afforded to you to enlarge your mind, broaden your sympathies and increase your stock of ideas, you would not regret for having prolonged your stay in the University. You may congratulate yourself on the other hand on having postponed the evil day, when you have to solve your bread-winning problem.

Whereas, I have to sympathise with the winners, because the spectre of unemployment would have already begun to stare at them. They have to face and solve the problem courageously, honestly and in the best manner possible. They should not prostitute for base purposes or obtain employment by any pretext or false pretence to positions, to which they have not fitted themselves by the required training or take to a vocation, for which they have no aptitude.

But whether you get paid employment or not, the field for honorary service is extensive and rich in possibilities of achieving not only success in life, but also, a name and a fame. Ignorance and illiteracy, poverty and sickness, disunion and discord, discontent and disaffection, famine and floods and many more allied miseries clamorously call the youths of the country to render honorary services—youths who are bold and enthusiastic, intelligent and interested, skilled and trained, active and alert, disciplined and disinterested. These miseries and misfortunes challenge you to fight them. Will you take up the challenge?

The villages are in mourning. The crying need of the villages is that you should go back to them. Their deserted and orphaned appearance and gradual decay are due to the depletion of the best energies and brains from their midst.

The professions are over-crowded in the urban areas. Independent practice in the learned professions has nearly reached the saturation point. The future of the graduates in the city looks gloomy. There is still some hope for them in the villages.

Medical graduates are settling down in rural areas. Lawyers too can settle down in villages. They will be able to considerably lessen the expenses of the villagers by helping them in conversing, drawing up plaints, complaints and legal documents, for which the villagers have to travel long distances now to cities, where living and legal advice are costly.

There are many villages without schools. A small band of educated young men may combine to start a school and their work will not go unrewarded. We have known many instances in which foreign Missionaries started primary schools, worked them single handed for many years and built up gradually big institutions with an efficient staff of enthusiastic teachers.

There is also scope for agricultural graduates and engineers in the rural reconstruction scheme. The vital needs of the villages are elementary education, good drinking water, good roads and medical aid. Development of rural industries requires the services of skilled technicians. It is to the proper working of the Rural Reconstruction Scheme that we should look to a partial solution of unemployment.

As for social service, in the working of the Village Panchayats, Co-operative Societies, Scout Movement, Red Cross Work, Harijan Uplift, Rural Reconstruction, etc. there is enough scope for the exercise of your intelligence and energy.

The foundations on which you can firmly build the New House of the Nation should be made up of Village Panchayats, Co-operative Movement, Rural Reconstruction, Harijan Uplift, Economic Nationalism and a Common Language. It is for each one of you to choose in which of the above works you can profitably help the construction of this great edifice and act accordingly in a deliberate and determined manner.

Pandit S. F. Bhagavat Raina explains to us the significance of "Now and Here" in the following sentences:—"If you are Master 'Here', you are master 'Everywhere', and your Mastery of 'Now' is an earnest of your Mastery of 'Eternity'. The more you make the most of 'Here and Now', the greater are the chances of your attaining the Mastery of Life."

"Banking on 'To-morrow' and 'Yesterdays' betokens Bankruptcy of 'To-day'. So beware of speculating on them, lest they prove so many quagmires for the treader of To-days dry land to be bogged in."

The stress of life and the reign of defeatist creeds are making for a mood of rebellion in the more active and of passive indifference in the quieter sections of the race. The old values are crumbling. The new ones are yet to be born. "We have neither immediate nor remote aims and in our soul there is a great empty space." Those words of Anton Tchekhov are not entirely inapplicable to the state of mind of several young men all the world over. Into empty spaces anything might enter and spurious philosophy enters quicker. I want you young friends to resist the inflow of such ideas as would undermine the essential loyalties of life. Never listen to doctrines that would lessen in your eyes the dignity and significance of life. "Nothing lasts, so nothing matters" is a dangerous and pernicious idea, which would lead us back to the jungle. There are many things in life that matter, and they matter tremendously. May you all have the imagination and the understanding to think of life

as "an elevated and lofty destiny", and whatever be the material success that you might be able to achieve. let it be said of all of you that you never let down the great traditions of civilization and learning.

The Bishop of London has said "The Bible can and will help you. Do not look upon it as a book for only one day a week. Do not be ashamed to be seen reading it. Your life is judged by your daily actions. If the Bible only helps you to live more happily, in closer harmony with your fellows, surely the time you spend reading it will prove your greatest investment." The same may be said of Bhagavat Geetha, Koran and other great religious works.

In a lecture on 'Fundamentals of Hinduism', Swami Siddheswarananda said that the mere offering of fruits, flowers, or chanting of hymns did not signify true worship. True worship is in the controlling of the vices, such as, lust, wrath, and hatred and in manifesting a feeling of kindness and affection towards every living thing.

Though intellectually a man is adult, morally and spiritually, the man may be still children. Do we not find men using their newly acquired knowledge to work desolation and death in their folly and fear and greed and pride? The greatness of religion depends on the scale of values, which the person professing that religion sets for himself and in what he believes.

In the worship of Saraswati, Durga and Lakshmi, the Hindus appear to have had a grand conception of knowledge, Power and Wealth, personified by the respective goddesses. Knowledge is necessary for the acquisition of Power and without Power, Wealth cannot exist. Both Knowledge and Wealth appear to be necessary to maintain Power. In the picture of Mother Durga you will find Durga is supported on one side by Lakshmi, Goddess of Wealth, the symbol and spirit of economic and industrial life and activities of the nation, and on the other side by Saraswati, the Goddess of Learning and arts, the symbol and spirit of intellectual and aesthetic life and activities.

In this part of India, instead of Durga Puja the Hindus celebrate Avudha Puja. The significance is the same. We worship our tools and trowels, staks and swords, ploughs and pick-axes and machinery and motors, which, if you analyse, will be found to belong to two kinds, one beneficial and productive and the other deadly and destructive. Whether productive or destructive they represent Power.

Are we the 'Slaves of Custom' in the worship of these Goddesses? Do we understand the real meaning behind all this worship?

## The Patna University Convocation

The following is the text of the Convocation Address delivered by the Right Hon. Sir Tej Bahadur Sapru at the Convocation of the Patna University held on the 26th November 1935 —

Your Excellency, Mr Vice-Chancellor, Ladies and Gentlemen,

My first duty is to thank you for the great honour you have done me by asking me to address you this afternoon. I do not pretend to be an educational expert and there is nothing further from my mind than that I should claim to speak with authority on a subject on which ideas are, in the highest quarters, at the present moment in a state of flux. I can only appeal to your forbearance and indulgence as a layman.

The fact that your university is comparatively young in years can, in my opinion, be no reproach to you. Ancient lineage and tradition are good, they add to one's pride and set up standards of conduct, but elasticity and adaptability are two of the most vital conditions of success—and they generally go with youth. I presume that you possess both these qualities in a fair measure. In the midst of a changing world when many of our cherished ideas in politics, economics and sociology are undergoing rapid changes, it is inevitable that some of us should ask ourselves some practical questions about universities in India. I do not wish to take you back to the days of those ancient seats of learning in our land and particularly in your historic town of which some learned writers have in recent years given us vivid

and alluring pictures. I shall recall to your mind only the days of the fifties of the last century when schemes for the spread of western knowledge were in the process of incubation which ultimately bore fruit in the establishment of universities in the three Presidency towns of India. You then came under the jurisdiction of the Calcutta University. You remained under its sheltering wings until less than twenty years ago when the Indian Legislature—of which I happened then to be a non-official member—presented you with this university presumably to fulfil a keenly felt desire on your part and to make your life as a new province complete. Since then several other universities in other parts of India have come into being. In my own province, for instance, we have no less than five universities functioning at the present moment. Bengal possesses two, Madras has three, Bombay, Nagpur, the Punjab and Delhi, like your province, have one each. Nor must we overlook the establishment of two flourishing universities in two of the biggest States of the India—Hyderabad and Mysore. One can almost hear Assam and Orissa crying out for a university each. I have no doubt that Sindh will not lag far behind in joining this fashionable cry. I do not wish to encumber my address with figures, but I can safely say that the number of undergraduates at every university has, nearly everywhere, considerably increased during the last twenty years. While in 1915 the total enrolment in universities was 61,225, in 1932 the number was over 1,00,000. Nor have these years been years without examination and investigation of the problem of education in India. We have had a very respectable mass of literature presented to us on the subject by expert educationists. The several volumes presented to us by the Sadler Commission adorn the shelves of university libraries. Then there is the Hartog Committee Report. What we have done, it seems to me, is that we have first established and multiplied universities and then blessed them or cursed them each one of us according to his temperament or his appreciation of the situation. There are many among us who think that having regard to the size of the country and the population the number of the universities existing in the country does not err on the side of excess. Indeed the dominant feeling is that it is nothing short of a sin to put any kind of barrier in the way of higher education, that it is the pious duty of every one of us to promote and foster the diffusion of higher learning on an ever widening area. The votaries of knowledge and culture, steeped in the wisdom of the east and the west, will always tell you that knowledge must be pursued for knowledge sake and that sordid considerations relating to the material interests of life must not be allowed to contaminate the pure atmosphere pervading our seats of learning. On the other hand there are those who think that if only universities did not exist and did not produce ambitious young men with half-baked ideas of freedom and nationalism and socialism and all the inconvenientisms of the present day, there would be no such thing as the Indian problem and India would be a land flowing with the milk and honey of contentment and gratitude for favours received. Now let me tell you frankly that I do not agree with either view. It is not that I do not realize the benefits of higher learning or the necessity for developing a higher cultural life for the nation, but I cannot reconcile myself to India becoming a nation of learned beggars. It is all very well for successful lawyer-politicians who, when they have nothing else to do, take out a book from their shelves to beguile their time, to talk of culture and so also learned professors at the universities, who at times betray the common weakness of humanity by comparing their emoluments with those better circumstanced than they are, may talk of culture and knowledge for knowledge sake. But I should like these gentlemen to place themselves in the position of the long-suffering but fond parent who stints himself to educate his boy to find that the young man, on whose future he had built his hopes, when face to face with the reality of the situation finds that he has to drink of nothing but the cup of disappointment and despair so far as a career in life is concerned. Government, foreign or national, can provide "jobs" only for a limited number. The learned professors, if they are to be followed as professions, presuppose a certain amount of private means during the period of waiting. Agricultural life has no prospects to offer. There are not many vacant or waste lands to occupy. University training has filled his mind with fine cultural ideas and all the doctrines about the distribution of wealth and the control of the means of production from the time of Plato down to that of Lenin. Cinema and newspapers have created new tastes which cannot be satisfied in the humble and undeveloped surroundings of village life. Trade and industry there are, they call for development and developed they must be but unless he happens to belong to the

charmed circle of a trading class or belongs to a certain caste there is no use for him there, specially when the expert has yet to fight for his recognition in the economy of Indian life. Thus being the position—and I hope I have not placed before you an overdrawn picture—it is for those who are responsible for our educational system to revise their ideas. The problem has been engaging the attention not merely of Governments in India during the last few years, it is causing anxiety and concern to nearly every government in Europe. During my recent visit to Europe I had an opportunity of seeing things for myself and I can tell you that in nearly every country in Europe the problem of education is now being approached from a thoroughly practical point of view and it is being increasingly reorganised that neither governments nor universities can afford to shut their eyes any longer to the necessity of so relating education to employment. As Mr. Harold Butler said recently at Geneva "Important though it is to help the adult to keep his home together and to maintain his place in society during periods of enforced idleness, it is even more important both for the individual and the nation to enable the young man to lay the foundations of his career. However hard he may be hit the former can always hope to recover his position by hard work and good fortune, but the latter, if the springs of his ambition are dried up and if the chances of learning his profession are denied him in youth, may be completely incapacitated from ever making a decent living or becoming a useful citizen. The urgency and gravity of this question is now being realized in many countries. It is obviously out of question that in this general address I can place before you an exhaustive list of the remedies which have been adopted in other countries for the solution of this problem or of those which may be adopted in our own. I have dealt with this problem at length in another capacity in a report which I hope to submit to Government in my province within the next few weeks. For the moment I am anxious that you should recognize certain plain truths however much they may seem to you to fall below that exalted idealism which it is the peculiar privilege of our universities to nurse and foster. "The first object, says Sir Ernest Simon, "which most parents have in mind in wishing to give their children the best possible education is to enable them to make their way in the world and earn their living. A boy at the end of his education has now-a-days to face a difficult world where competition is keen and secure employment difficult to obtain. His chance of success depends largely on the education which he has received." If this is true of England it is—I maintain—even more true of India in its present condition. Without in any degree underestimating the value in our national life of cultural pursuits or without intending to cast the slightest slur upon our universities, I am anxious that the whole problem of education should now be viewed from a different angle. To put it briefly my submission is that the problem of education must now be viewed along with and as connected with the problem of employment. This does not, by any means, mean or imply that we must close our universities or curtail their activities. It does, however, imply that we shall so readjust our entire system of education as to afford, on the one hand, every possible opportunity to those of our boys for receiving university education in arts or sciences who are likely to benefit by it and it also implies that we shall not allow wastage of intellect and opportunity in the case of those who are not likely to benefit at all by academic education at universities or other higher seats of learning. For the latter class we must provide suitable education vocational or industrial or some other kind, which may enable them to acquire the faculty of doing things at an early stage of their life and earn a decent living. We must give a new bias to education in its early stages. It seems to me that the essence of the whole problem lies in reforming education at the bottom, i. e., in re-organizing (1) our primary education so as to bring it more into harmony with rural conditions and (2) secondary education so as to make it self-sufficient and not subservient, as it is at present, merely to university education. It must mark, in my opinion, a definite stage in the career of a boy so that if he wishes to start in any career, for which he has received the proper training he should be able to do so at the end of his secondary education. No doubt we shall have to provide a suitable kind of secondary education for those who propose to join universities either merely for cultural purpose or to qualify themselves for certain higher branches of public service or certain learned professions. It is only thus that in my humble judgment you can secure on the one hand the true interests of culture and on the other the material interests of a large number of our boys. At the present moment I fear the progress of the really intellectual and culturally-minded boys is impeded by their being associated at the universities with others who act as a drag on their progress. It is only when you have made some suitable provision

for the latter class of boys that you will enable the former to render that service of knowledge and culture which will enable India to claim a position of honourable equality among those nations of the world which are making daily contributions to the development of science, philosophy and culture. Further, this will also permit universities to raise their standards still higher. At the present moment I am afraid we take somewhat loosely of higher education in connection with our universities. It is true that we produce every year men who achieve distinction in certain competitive examinations both in India and in England, it is also true that these men have raised the level of public conduct in our services, nor do I forget that some of these men who join learned professions achieve distinction, but when I think of universities as they are at present I do not think of the limited number of good men they produce but of the very large number of I shall not say second class but third class men with very indifferent intellectual equipment, with scarcely developed cultural tastes and with no clear ideas about many things. At the present moment I am afraid it is only too true to say of a large number of our young men—and I say so with profuse apologies to those of my friends who are always insistent upon the claims of culture at the universities—that a university degree is sought after merely as a passport for Government jobs and not out of unadulterated love for knowledge and culture. In the interest of the universities themselves I am anxious that they should be rescued from this degrading influence. Once you have done that there will not be that mass production of graduates which brings no credit to the universities on their cultural side but which is making life more and more difficult for those unfortunate victims of a system which may do good to the vast majority. My conviction is that we cannot allow to tinker with this problem and leave things to drift for themselves. We must have a definite policy with regard not merely to university education but also with regard to educational institutions at the bottom. I am old enough to remember the bitter and long drawn out controversy which arose out of Lord Curzon's attempt to reform university education. Thirty years later when the whole subject of education has passed into our hands and will pass in still greater abundance under the new constitution it is possible for us to express a regret that Lord Curzon's great intellect and driving force were not directed at that time towards secondary education or giving a proper start to primary education. If that had been done it seems to me that much of the sentences of the evils of the present system might have been prevented in good time. But now that we are going to be responsible for educating our own people I think there is no reason why we should not approach the whole problem boldly and courageously with definite and clear ideas as to the future. I am anxious to prevent misunderstandings. As I have said before I do not wish to discourage university education or curtail the beneficent activities of our universities. I would much rather concentrate for the next few years on a reorganization of our school education. As regards the universities themselves I suggest that the time has come when each university—and it must be remembered that our resources are not so simple as those of western countries—should select for itself certain subjects of study on which it would lay special emphasis so that special value might attach to its alumni in these subjects. I am afraid as a layman I have no business to go further into this matter but perhaps you will permit me to say that in the earlier stages of our boys' education I would much rather that their power of observation was developed, that their general knowledge of things around them and beyond them was of a higher character than that their mind should be fed merely on certain text-books and that we should continue to attach so much artificial value to examinations and the result of examinations. One danger that I foresee under the new constitution is that education being a provincial subject our universities and our entire educational system in each province may tend from a national point of view to become far too provincial or parochial. I sincerely hope and trust that without in the slightest degree interfering with the autonomy of the provinces it may be possible to devise some machinery for the interchange of ideas between province and province and to secure some coordination and prevent unhealthy competition. I am afraid I have in dealing with this problem gone a little further than I had originally intended to do. I must now take leave of it and come to the more agreeable task of addressing the young men before me.

My young friends, do not go away with the impression that when I am approaching the end of my career I have hardened or stiffened against you. I can truly assure you that all my sympathies are with you. I know from personal experience what a hard struggle life is, how difficult it is for a young man to get a

start in life and to build up a career for himself. Perhaps the position of the young men of my time was not so acute as yours. You are living in times of much greater stress and competition than was the case in my youth. A B. A. or an M. A. degree in my time counted for a great deal more than it does at present. But I trust that the keener the struggle becomes the more determined you will be to face it and face it courageously. Apart from serving your own interests—and no one can blame you if you are anxious, as indeed you must be, to earn your living and achieve distinction in the race of life—you have got a responsibility to discharge towards your country. You are going to play a much bigger part and in a much more generous measure than was permitted to the youth of my generation. New ambitions have arisen in the country. With the youth of my generation freedom was a far off adorable dream. It is not so to-day. It is a burning passion with you. You will be the instruments for consolidating that measure of freedom which has so far been achieved. More than that, upon many of you will fall the responsibility of achieving still greater measure of freedom so that it may be your proud privilege to claim in future that you have succeeded where we failed and that you have by your wisdom, by your courage, your love of the country achieved for her a place of pride and honour among the nations of the world—a position well worthy of your past and equally worthy of your ambitions. I imagine that your political creed, or the political creed of many of you, may be summed up in one word i.e., nationalism. It is a very difficult word to define but more or less we all understand what it means. Let me, however, give you one warning—and I give it not in any carping or cynical spirit—and it is that nationalism properly understood is something wider and higher than mere intellectual beliefs or political ideals, though it may and very frequently does cover both. It must be an active principle of life, it is in my opinion a mode of life, it must inspire and regulate your day to day dealings with one another. True nationalism must rest upon the recognition of the principle of equality of us all in the midst of a society which is traditionally entrenched behind inequalities—social and religious—and upon fair-play for all. It does not defy the past but it does not also despise the wisdom of our ancestors. It should be ready to preserve that part of our heritage which will not be a drag on our progress. Similarly I think true nationalism must not have any prejudices against modernism or against new ideas merely because the home of their origin is in the West. Nor must it be too ready to accept ideas merely because they have originated in the West. Your nationalism must not be divorced from nationalism, nor must it forget that its primary function and duty is to give us a new synthesis of life. Nationalism again must not be confused with an active or passive hatred of other races, or limited to political or economic ideas of any particular brand. By conviction I claim to be a nationalist and I declare it with the utmost possible sincerity that I do not think in terms of caste or creed. In my case it is not the result of emotion. It is the result of a conscious effort made in the light of the history of our country and of my experience of other countries. Do not fight shy therefore of owning that you are nationalists, if you have reasoned yourself into that belief. Emotion is good, it is the spring of many generous actions, but conviction is better. I do sincerely hope and trust that you, who claim to have received liberal education and to whom your university claims to have given liberal education, will realise that the desire for political freedom imposes certain obligations. You may achieve liberty to-day but you may lose it tomorrow. What then is the stable foundation on which your freedom and your liberty will stand? In the peculiar circumstances of India, and viewing the matter as I do as a realist, I think the true foundation of freedom in India must be tolerance. As Dean Martin says, "If liberty is to exist, the individual must be zealous for the freedom of others, he must be willing that people differ from him. He must not strive to make his own preferences theirs. Nothing destroys liberty so surely and quickly as the spread of intolerance. Tolerance is a better guarantee of freedom than brotherly love, for a man may love his brother so much that he feels himself thereby appointed his brother's keeper. Small men are prone to turn their loves into proprietorships, and their cherished ideals into weapons for the coercion of others. For little-minded men are opinionated. The ignorant man always believes he is right, the educated man seldom. The dominance of the intolerant is always and every where a revolt against civilisation." These are not mere platitudes. You will have plenty of occasions for the application of these principles in the present day life of India. It is a strange irony of fate that while we should be striving for freedom, while each one of us should claim to be a nationalist, our actions should on not a few occasions belie our



professions. We who were born in a different atmosphere, who derived our ideas of freedom from western sources as a thing to be admired but had no idea of the obligations it imposed may have failed in achieving that unity of thought and action which must form the foundation of any enduring political or social superstructure, but you who are in the spring tide of life and who will be called upon to shoulder the burden of freedom may yet adapt yourselves to the altered needs of the time and acquit yourselves in a manner worthy of your education and worthy of your country.

Lastly, our universities must be judged by their products. It is up to you to prove that in the domain of culture you are not obsessed or overborne by a narrow sectional view of life or history. Whatever may have been the state of things in other parts of India, I believe I am right in saying that until about fifty years ago the general culture—as apart from religious belief—of the average Mohamedan and the average Hindu of the educated middle classes in Northern India and Bihar was the same—or nearly the same. I am afraid one can not take a complacent view of the situation as it has developed during the last thirty years. Consciously or unconsciously we have been developing not a common culture but different cultures on divergent lines and we can see for ourselves its effect upon our mutual relations. Is this, I ask true nationalism? If it is anything like nationalism then I must raise my feeble voice against it and ask you at this period of your life when I hope you are yet free from the virus of this mis-called nationalism to protect yourself against the paralyzing and even fatal acts of this slow but sure poison. Therein lies the danger to Indian unity and Indian self government and freedom. May it be given to you to serve the interests of your country wisely and well.

### MR. NOOR'S CONVOCATION SPEECH

The following is the text of the Convocation speech delivered by the Honble *Mr Justice Khaya Mohammad Noor*, Vice-Chancellor, at the Convocation of the Patna University held on the 30th November 1935 —

Your Excellency, Members of the Convocation,

It is my privilege to welcome you once more to the Annual Convocation of the University and place before you the review of the work of the past year.

Since we last met in Convocation we have heard with the greatest regret of the death of Sir Charles Bayley the first Lieutenant Governor of the province. It was during his administration that the Government appointed the Nathan Committee to formulate a scheme for a University at Patna. The scheme recommended by the Committee was modified according to the requirements of the situation and a university in the present form was started in 1917. It may justly be said that though Sir Charles Bayley left the province before he could be the first Chancellor, it was he who as the head of the Government laid the foundation stone of the University.

The University has lost a life Fellow by the death on the 7th of June, 1935, of Mr Sayyid Nurul Huda, C. I. E. His generosity was unique. He devoted almost the whole of his fortune to the establishment of the Madrasa Shamshul Huda in order to advance the cause of Arabic education in the province. In recognition of his services Your Excellency was pleased to appoint him a life Fellow of the University, a distinction which unfortunately he did not live long to enjoy.

The cruel hand of death has taken away from us only yesterday Mr Deep Narayan Singh who was a life Fellow under section 7 (i), Class II (ii) of the Patna University Act by virtue of his having given more than a lakh of rupees for the purposes of the Tej Narayan Jubilee College at Bhagalpur which is named after his father who founded it. The college owes much to the munificence of our late colleague. He was a man of broad views and was always ready to help the cause of education. His death has caused a heavy loss to the province. Every movement intended to benefit the province in general and the student community in particular had always his ungrudging support.

We have also to mourn the deaths of Mr Srikrishna Prasad, a representative of the Legislative Council and Mr Ram Prasad, a representative of the Registered Graduates on the Senate. These gentlemen took keen interest in educational problems of the province.

Last but not the least, I have to refer to the untimely and sudden death on the 27th of November last of Mr L. K. Ghosh, who only a few months ago had succeeded Mr D. N. Sen to the principalship of the Bihar National College. Mr Ghosh

has been a Professor of Mathematics at the B. N. College for about 30 years, a Fellow of the University since 1919 and a member of the Syndicate for a very long time. His mastery over the rules and Regulations of the University and his sober advice had all along been of very great value to the Senate and Syndicate and to various University bodies of which he was member. His absence from the University will be keenly felt. He will always be remembered by his colleagues for his sound views on educational problems. In him the University has lost a very useful member who was always ready to devote his time to the cause of the University and the student community has lost an efficient and sympathetic teacher.

We convey our sincere sympathy to the bereaved families.

Dr H. Lambert, the Principal of Patna College, Dr K. S. Caldwell the Principal of the Science College and Mr D. N. Sen the Principal of the Bihar National College retired from their respective offices during the course of the year and ceased to be *ex officio* members of the Senate. At the last Annual Convocation I paid tribute to the services of Dr Caldwell. In him the University lost an eminent chemist and a capable administrator. The Senate in recognition of the services of Dr Lambert as Principal of the Ravenshaw and Patna colleges and as a member of the various University bodies resolved to confer upon him the degree of Doctor of Philosophy *honoris causa* and the resolution having received your Excellency's approval, the degree was conferred upon him at a special Convocation held on the 30th of March 1935. I need only say that this degree was well deserved and I hope Dr Lambert will live long to enjoy the distinction.

Mr D. N. Sen's retirement deprived the University of the services of an eminent educationist and an expert and teacher. The Bihar National College owes to a very large extent its present position to the energy and zeal of Mr Sen. The Government recognized his merits by taking him into the Indian Educational Service at a late stage of his career and after he retired from that service he devoted himself entirely to the welfare of the Bihar National College. He gave to the province which he has made his home, his best and I wish Mr Sen a long and peaceful life in his retirement.

Mr R. P. Khosla, the Principal of the Greer Bhumihar Brahman College at Muzaffarpur, will soon be taking leave preparatory to retirement. He has been connected with the University since its very inception and his services have been eminently useful. He has endeared himself to all with whom he has come in contact. He will be greatly missed by the University and its students when he leaves this province.

There have been several other changes among the *ex officio* Fellows. Lt. Col. P. S. Mills, Mr S. M. Dutt, Mr A. T. Mukherji, Mr H. R. Butler, Mr C. H. Mahony and Mr S. L. Das Varma have joined the Senate as *ex officio* fellows.

Of the Representative Fellows from the constituency of Registered College Teachers, Mr L. K. Ghosh on his appointment as the Principal of the Bihar National College vacated his seat as an elected member of the Senate and became an *ex-officio* Fellow and continued to be such till his sad death on the morning of the 27th November. Messrs S. P. Prasad, Jamuna Prasad and P. K. Parija and Capt. P. B. Mukherji were balloted out. Miss Nirmala Bala Sinha and Mr I. Tuli, ceased to be Fellows on their ceasing to be on the electoral rolls of the constituency. These vacancies have been filled by the election of Messrs C. I. Mitra, B. J. Mazumdar and B. C. Das and the reelection of Messrs S. P. Prasad and P. K. Parija and Capt. P. B. Mukherji. It is to be regretted that no nomination having been received for the seat in the Faculty of Engineering the vacancy among the college teachers of the Patna Law College on account of the resignation of Mr Bhuvaneshwar Prasad Sinha from the professorship of that college could not be filled as the intimation of his resignation was received late.

Among the Registered School Teachers of the Orissa Division, Mr M. C. Pradhan, on his deputation to foreign service ceased to be on the electoral roll and the vacancy has been filled by the election of Mr. Srimam Chandra Mahapatra.

From the constituency of Registered Graduates Messrs Ahmad Heza and Imteyaz Karim and Rai Bahadur Dwarka Nath were balloted out. A vacancy also occurred on account of the death of Mr Ram Prasad, already mentioned, but Shubh Kalika ceased to be a Fellow as he became eligible to be registered in the constituency of School Teachers. Messrs. Mahabir Prasad, Jaleshwar Prasad and A. A. Kazimi have been elected and Rai Bahadur Dwarka Nath and Mr Ahmad Reza have been re-elected.

A protest has been received against the election of Mr A. A. Kazim and will be submitted to Your Excellency in due course.

Mr. S. M. Mahmud Shere, a Representative Fellow from the Bihar and Orissa Province of Muslim Conference who was balloted out has been re-elected.

Ru Bahadur Lakshmi Narayan Saha has been elected by the Bihar and Orissa Legislative Council to fill the vacancy caused by the death of Mr. Srikrishna Prasad.

Of the Nominated Fellows, Raja Bahadur Sir Rajendra Narayan Bhattacharya, D. O. B. L. of Kanika, Mr. I. I. H. and the Rev. H. Bridges were balloted out. All of them have been re-nominated. Mr. F. R. Riar has also been nominated in place of Mr. H. R. Bhatnagar who is now an *ex-officio* fellow.

At the Synodical terms of office of Dr. Hari Chandra Mr. L. Blair, Mr. B. Srinjana, Mr. Bahadur Dwarka Nath, Mr. S. M. Hafeez, Mr. S. K. P. Sinha, Mr. Ru Brij Kishore Krishna and Mr. Bahadur Sri Narayan Mathur, elected members and the Principals of Patna College and the G. B. H. College, Mr. A. S. Khan and Mr. I. K. Lariya, nominated members, expressed their efflux of time at the close of the 1st Annual meeting of the Syndicate. Mr. L. K. Thakur, whose term of office was to expire at the close of the Annual meeting of the Syndicate held on the 27th inst. did early in the morning of that day.

At the closing of the 2nd November, Rai Bahadur Dwarka Nath, Mr. S. M. Hafeez, Mr. S. K. P. Sinha, Mr. Bahadur Kishore Krishna, Ru Bahadur N. Mathia, Mr. F. R. Riar, Dr. Hari Chandra, Mr. I. D. Coomaraswami and Mr. S. P. Prasad have been elected.

During the year under review the admission of the I. A. classes of the R. N. H. Zilla School was extended for a further period of two years. The classes were started on a temporary basis to satisfy partially the ambition of the people of the district to have a higher education.

The admission of students to the I. S. Honours standard in Physics, Chemistry and Mathematics was extended for a further period of two years.

In my last address I mentioned that the Inspectors of the Medical Council had inspected the Patna Medical College. I then expressed a hope that the Medical Council would be represented by the Council and the name of this University would be entered in the gazette of the Medical Council. My hope has been fulfilled and our degree has now been recognised by the Council of the University of London.

We have a wish to the B. Ed. degree and have submitted for it the degree of Master of Education. In consequence of this the Patna Training College was admitted to the M. Ed. standard with effect from the session 1933-34.

The local Government has sanctioned the regulations enabling us to hold examinations and offer degrees of Bachelor and Master of Oriental Learning and I hope that students from Arabic and Sanskrit colleges who have taken the diplomas in Oriental Languages will avail themselves of this privilege and obtain from the University degree in Oriental Learning.

The most important change in our Regulations has been the introduction of the supplementary examination at the Matriculation stage. Students who have failed at the Annual examination but obtained 40 per cent of the marks in any subject or subjects and have at the same time secured the minimum aggregate marks can now appear at the next supplementary examination only in those subjects in which they have not secured 40 per cent marks, and if they pass in those subjects they will obtain the Matriculation certificate.

At the last Annual meeting, held on the 28th of November the Senate have recommended to Your Excellency the appointment for the session 1933-34 of Mr. J. B. Aiken and Mr. J. A. Chapman as University Readers on the Earthquake and Shakespeare respectively. Mr. Aiken is an officer of the department of the Geological Survey of India, who took part in the investigation of the Bihar and Nepal earthquake of January 1934. He will deliver his lectures in the middle of the next month, and they are sure to prove exceptionally interesting as they will deal with the geological aspects of the study of seismology.

Mr. J. A. Chapman who had long been the Librarian of the Imperial Library at Calcutta is a man of vast learning. His lectures on Shakespeare are bound to prove instructive and useful to the students.

The strength of the 7th (Patna, Company) University Training Corps, recruited from all the Colleges at Patna excepting the Patna Training College, is 111. Of these 3 are Sergeants, 9 are Corporals, 14 are Lance Corporals, and 84 are Cadets. Two camps were held during the year 1934-35 at Dinapur—(1) Musketry Camp and (2) Training

**Camp.** At the former camp 83 cadets attended and shot for the first time on the long range. The latter camp mustered only 65 cadets. The cadets attending camp showed keenness in their work. Although attendance at parades was good in respect of officers, I am sorry it was not so as regards the cadets. The military authorities contributed Rs. 1145 3-0 for the training camp and Rs. 4,509 15-0 for the payment of travelling and miscellaneous allowances for corps members and officers. The University contributed Rs. 1,700 for the training corps and a sum of Rs. 1,412 1-3 was spent on rates tax and telephone charges.

The University Athletic Club continues to promote athletic activities. Cricket has been added to the list of games and in December last the Allahabad University Cricket Team was invited to a two days fixture at Patna. A couple of months later the Punjab University Hockey Team was invited to play the local University side at a game. The All India Inter University Football Tournament for the Sir Sultan Ahmed Cup inaugurated by the Club was held at Calcutta in September last and a team from this University was sent by the Club to take part in the tournament. A proposal to send a team for the All India Inter University Tennis Tournament at Lucknow is under consideration.

The results of the various examinations held during the year are given in the statement which has been circulated. The column for results of the Supplementary Matriculation and higher examinations in Arts and Science for the year 1934 have been left blank in the statement as these examinations are reported last year and are not held in that year owing to the earthquake of January 1934. At the Annual examinations the percentage of success in the Matriculation I A I S, B A, Law I and II Diploma in Education, Second M B B S Part I, B S Part I and Master of Arts improved and that in B S Second Part II, Second M B B S Part II Final M B B S Part II I, C, E and M Sc. declined. At the supplementary examinations the results of the Matriculation I A I S, B A and I S were satisfactory, the highest percentage of success being 62 per cent in the Matriculation Examination. This was the first year when the students were permitted to appear under a computerized system at the Supplementary examination. In the examinations of Law Parts I and II, First M B B S, Second M B B S Part I and Final M B B S Part II the percentage of success increased and in the examination of Second M B B S Part I the figures declined. The improvement in the percentage of success in the Matriculation examination is to be accounted for by the stricter test of fitness of the candidates at the examination and better teaching in the high schools ensured by the employment of trained graduates as teachers from year to year. At the Supplementary examination it was also due to the introduction of the computerized system.

The results of our examinations especially that of the Matriculation have of late been subjected to much criticism. The University authorities welcome these criticisms. Every criticism receives our earnest consideration and if defects are found steps are taken to remedy them. I am however certain that our critics are so far in agreement with us that there should be no lowering of the standard of our examinations and that our degrees should be earned and not given. In my Convocation speech of 1933 I stated that a joint committee of the Syndicate and the Board of Secondary Education was examining the whole problem of the Matriculation examination. It may be said that the committee has taken a long time in submitting its report. But we have not however been inactive. The problem is complicated and difficult. The opinions of those who are qualified to advise are widely divergent. Questionnaires were issued to various bodies and individuals interested in education and were published in newspapers. Answers were invited and have been received and they have now been arranged and analysed. The work of consideration will proceed at once. In the meantime the local Government have forwarded to us a communication of the Government of India suggesting the re-constituting of the Matriculation Committee and the whole subject of secondary education will be carefully examined. I hope the recommendations of the committee will be available before long.

It is gratifying to note that for the first time a candidate, Mr. Elbal Hussain qualified himself for admission to the degree of Doctor of Philosophy in Persian by taking the examination for the degree provided for in the Regulations and presenting a thesis on 'Early Persian Poets of India' which has been highly commended by Dr. Denison Ross, Dr. Azimuddin Ahmad and Dr. Hadi Hasan who constituted the Board of Examiners. The degree has just been conferred upon him.

The number of students in the University during the year has risen from 4343 to 4726. The number of women students increased from 34 to 33. The number of students

in the several Faculties are Arts 2904 Science 1055 Engineering 77, Education 68, Medicine 283 and Law 339. While the number of students in the Faculties of Arts and Science has increased by 371 and 26 respectively, the number in the Faculty of Education has remained stationary and the number in the Faculty of Engineering decreased by 9 in Medicine by 1 and in Law by 2.

At the commencement of the year we had an opening balance of Rs 9278. The year is expected to close with a balance of Rs 6171. At present the income just balances the expenditure without leaving a margin for starting any post graduate teaching. The reserve fund in Government paper stands at Rs 1,38,000 as in previous years. The Government grant for 1934-35 for partially meeting the cost of the University was Rs 15,437.

During the year we are at present receiving scholarships from the proceeds of the health scholarships fund. Of these one each belongs to the Faculties of Arts, Science and Medicine. One more research scholarship for which applications have been invited will be awarded soon. The Scholarship Fund was invested in Government Treasury Notes of the face value of Rs 1,04,000.

The number of books in the Library is 22,000. Of these 17,000 belong to the Father Memorial Collection which consists of popular books on various topics of public interest. For want of room further acquisition of books has been restricted to those that are very important and absolutely necessary. A rough plan and estimate for the extension of the buildings has been prepared and the cost of the project is estimated at Rs 32,000. Unless donations are made or the Government agree to subsidise it we shall have to bear the entire cost of the project from the resources of the University. I hope generous contributions for the completion of the project will be forthcoming from the Government and rich magnates of the province. The rate of the average number of readers from 30 to 35 a day is an indication of the increasing popularity of the library and of the urgency of the need for expansion.

In commemoration of the Silver Jubilee of His Majesty's reign Mrs. Motirmoyee Das, wife of Rai Bahadur Jai Lal Das Assistant Director of Public Health, has offered a sum transferred to the University Government paper of the face value of Rs 1,000 as a fund from the interest on which a gold medal will be awarded annually to the student who successfully passes on of the Final M.B.B.S. examination. The student who secures a first place in the subject and failing such a qualified candidate the medal will go to the candidate who stands first among the successful second year candidates at the Matriculation examination.

Shri Sahil Aurada I. A. S. M. T. has augmented the capital of the Hareniranath Manojra Mahavidyalaya Scholarship Fund by making a further contribution of Rs 200. The value of the scholarship from this fund has been raised from Rs 5 to Rs 7.

Out of the proceeds of the Sir Ganesh Dutta Singh Loan Scholarship Fund the income of Rs 1,000 of rupees was spent on the award of scholarships to three Assistant Surgeons in Government service. One of these, Dr. Bhandu Narayana has returned with a degree of Doctor from the University of Edinburgh and has recently been appointed Professor of Pathology at the Prince of Wales Medical College. Mr. Raju Narayan Sinha is still arriving on his studies in the United Kingdom and Mr. Mohanwar Prasad Sinha left for England in September last. The loan given to Dr. Bhandu Narayana is being recovered by monthly instalments.

A gold medalist, Mr. Bharavi Nandan Sinha, M. A. has been awarded from the interest of Rs 1,000 out of the Sir Ganesh Dutta Singh Trust Fund of which the Vice-Chancellor is the trustee a loan scholarship of Rs 200 a month for the student in the Cambridge University in Agricultural Botany. A loan of a sum of Rs 250 has also been granted to a student of the Medical College for the purchase of books. The other commitments under the scheme of trust are being repaid monthly.

The Secretary of the University Students' Information Bureau has compiled a Handbook of General Information with a view to help students in choosing the vocation for which they are fitted by education and temperament and also to acquaint them with and where they can get the necessary training to qualify themselves for the callings of their choice.

Graduates of the University. You have my hearty congratulations on your success and I wish to you all a prosperous career. I ask you to remember that the good name of your Alma Mater is in your hands. You alone can imprint on the degrees of the Patna University the hallmark of correct thinking, sound judgment, honesty,

integrity, discipline and above all, character. If you make the right use of the education which you have received you will be able to face the problems of life with courage and resolution.

In my last Convocation address to your predecessors I referred to the ever-increasing unemployment among the educated youths of the country. It is a matter of gratification that the local Government has appointed a committee to investigate the problem and its report will be anxiously awaited. We are thankful to His Excellency for inviting Sir Tej Bahadur Sapru to deliver the Convocation address. He is taking a prominent part in the investigation of a similar problem in the neighbouring provinces of Agra and Oudh. We are confident that some workable scheme for mitigating the hardship will be devised. But I must strike here a note of warning. It cannot be expected that these committees will find a readymade solution which like Aladdin's lamp will by a touch take us to a new Heaven and a new Earth. The problem is complex and requires years of patient work on the development of the country's resources and the organisation of its system of education. These committees can only show us the road or which we have to travel for the guidance of our young graduates who have come out successful from the University and those who aspire to follow. It must be clearly understood, however, that the committees cannot create new services much less increase the number of Government posts. They can however point out new fields of activity and you will have to equip yourselves for work in those fields with such aid from Government as reasonably be given. If the committees suggest changes in the system of our education we as a University shall give those recommendations our best consideration and introduce with the co-operation of the public such changes as may be feasible. The Government of India is alive to the exigencies of the situation. As I have already stated they have suggested to the local Governments the introduction of changes in the system of our secondary education. We shall consider them. At the same time they have established a Central Advisory Board to co-ordinate the views of the various provinces. Eminent educationists including, our guest Sir Tej Bahadur Sapru are its members and I hope that before long a system of secondary education will be devised which will equip our young men for various avocations of life without burdening the universities with those students who can usefully be trained elsewhere.

## The Lucknow University Convocation

The following is the text of the Convocation Address delivered by Mr. *Sarvechanda Sinha* at the fourteenth annual Convocation of the University of Lucknow held on the 30th November 1935.

Mr. Vice-Chancellor, Members of Convocation, and Graduates of the Lucknow University.

As I rise to address you two thoughts are uppermost in my mind. The first is a keen sense of appreciation of the great honour done me by asking me to address this convocation for which I desire to express my sincerest thanks. The second is an earnest desire—as an old graduate of the oldest University, “the world—to greet you the new graduates of the Lucknow University and welcome you as the latest batch of recruits to the fast growing ranks and the everexpanding phalanx of the enlightened, progressive and cultured community in India. Privileged to address you, on behalf of your university, my first words will be those of heartiest felicitation on the success you have achieved in your examinations. Believe me my congratulations are not at all conventional, for I am fully conversant with the condition and the surroundings of our students to realize what your success must have cost many of you in health, and what privations it must have entailed. The success that you have achieved under difficult and trying conditions, sometimes in the face of desperate odds, fully deserves admiration, appreciation, and congratulation. May the Almighty grant you length of days in your right hand, and in your left hand riches and honour and may your professional and public career be such as to redound to the credit and the honour of your University, which has admitted you to-day to the rolls of its graduates, and placed upon you its hall-mark of distinction.

I am particularly gratified to find here to day a number of young ladies who have taken their degrees in various branches of learning. That is a very encouraging circumstance, indeed. It is well known that as compared with the advance in higher education amongst men, that amongst our women, is yet extremely inadequate particularly in Upper India. It is a truism that national progress depends as much, if not more, upon the educational and cultural standard of our women to a higher level, by making our home life suitable for women educated like ourselves. If human life be compared to an orchestra, we may liken the men to the brasses and the louder instruments—the trombone, the cornet, the trumpet, the clashing cymbals and the rousing drum—their work being strong, stirring, courageous and confident, while the women may be compared to the stringed instruments with their dulcet tones mellow sounds soft notes, and tender undertones, throbbing and pulsating at the very heart of things and vibrating melodiously to the great eternal verities of Love and Worship—each being thus wholly indispensable to the other for the completeness of the Master Musician's work for the advancement of humanity.

Having, I hope been able through these preliminary remarks to put myself on a footing of personal relation with you, I propose now to urge for your consideration some matters which, in my opinion, deserve your careful attention. I regret I am unable to follow the example of my learned and talented predecessors in attempting to discuss more or less technical aspects of our educational problems, with which I cannot justly claim sufficient familiarity. I believe, I shall best discharge my duties by discussing with you things with which I am, to some extent, familiar—as the result of my intimate association, now for more than forty years, with our public life—rather than by digressing into unfamiliar tracks. If however, after listening to me you feel that I have uttered “nothing but platitudes” I shall consider that your criticism is very mild, indeed, for I am now old enough to realise that what are called platitudes, in common parlance, are the very foundation of almost all speeches and writings, not excluding editorial articles even in the leading organs of public opinion. In fact, it is in the region of the noble commonplace that the greatest thinkers excel.

Platitudes thus constitute the very nucleus not only of all minor forms of literature, (such as the drama, essay, fiction, oratory, criticism and poetry) but even of that most imaginative type which is generally found in the notes and correspondence written by our officials—from the Under-Secretary to the Governor (General). Thus, platitudes being the stuff which reigns supreme in almost all spheres of expression you will do well to get used to them from now, so that you may not suffer disappointment by reason of any undue expectation of so called originality either from me or from any one else. If you will be good enough to accept this sound advice you will be able to lead as happy and contented a life as do we, the non-official members of the Indian legislatures, who have been taught through a long course of dry experience to expect nothing in the replies to our interpellations, resolutions and adjournment motions but a harmoniously blended combination of the veriest maximum of platitudinous plausibilities with the irreducible minimum of veracity.

The current year marks the centenary of a most momentous decision, of an almost revolutionary character, in the educational annals of modern India. It is just one hundred years since Thomas Babington Macaulay, as the President of the Board of Education, closed a long chapter of controversy about the system of education to be introduced into India, with the recording of his historic Minute which for its unhesitating self-assurance and sweeping generalization ranks as a remarkable document in polemical literature, and was characteristic of the controversial methods of its author. Amongst other things he said, I shall quote the memorable passage which struck the key-note.—“The question before us is simply whether, when it is in our power to teach this language (English), we shall teach languages in which, by universal experience, there are no books on any subject which deserve to be compared to our own, whether, when we can teach European science, we shall teach systems which, by universal confession, wherever they differ from those of Europe, differ for the worse, and whether, when we can patronize sound philosophy and true history we shall countenance, at the public expense, medical doctrines which would disgrace an English farrier, astronomy which move laughter in girls at an English boarding-school, history abounding in kings thirty feet high and reigns thirty thousand years long, and geography made of seas of treacle and seas of butter.”

None could have clinched the matter (from the European as opposed to Indian stand-point) as could and did Macaulay. Accordingly on March 7, 1835, just one hundred years back, the Governor-General Lord William Bentinck, issued the epoch making Resolution in which it was unequivocally laid down that "the great object of the British Government ought to be the promotion of European literature and science among the natives of India. Well, just a century has elapsed since, and probably hundreds of thousands of Indians have been educated in this fairly long interval according to the system then introduced. About a quarter of a century later the first three Indian universities were established, which now number six times as many. There can be, therefore, no better way of celebrating the centenary of this tremendous change in the educational history of India than by surveying briefly, in a convocation address, the results of university education in our country and its influence on our life and activities.

As a matter of fact the results of University education in India have been carefully examined from time to time, by highly competent authorities, from different standpoints, and there has been a consensus of opinion that higher education in this country has been, on the whole, a success, and that it has brought in its train wholesome and beneficial results. To confine attention to recent times, Lord Curzon—who was by no means an unqualified admirer of our system of higher education and who tried to "reform it according to his lights—speaking (in the closing years of the last century) as Chancellor of the Calcutta University—made the admission that the knowledge imparted by the Universities "had not been shamed by her children. Later his Government confirmed that view in an elaborate resolution. Another and still more authoritative testimony appeared in 1900 over the name of the then Secretary of State, Lord Morley, (in a "Memorandum on the Results of Indian Administration during last Fifty years") in which it was stated that "with the improvement in education has come a much higher standard of probity and sense of duty and there has been great improvement in character and attainment in the public services.

These high official testimonials are conclusive on the point that the results of University education have been conducive to the growth and development of a higher standard of thought and action amongst our educated classes. It goes without saying that its effect on the much larger number of Indians, who have chosen to work in the numerous walks of life, outside the ranks of the public services—in the professions and in trade and commerce—has been equally beneficial and wholesome. Further, it has brought about that great intellectual ferment which is known as the "Indian Renaissance", but which our unsympathetic critics prefer to call the "Indian Unrest. Lord Morley himself described this great upheaval as "a living movement in the mind of the Indian people for objects which we ourselves have taught them to think desirable.

Later a distinguished Lieutenant-Governor of the Punjab spoke of this "living movement" as follows:—"What is happening in India is not a phase but a new birth and the proof of it lies in its universal acceptance by all classes of people in that country. The interesting movement is due to a strong desire to rise higher in the scale of nations. 'Why should we lag behind,' is the voice of India from Peshwar to Cape Comorin. And so a new life is now born in India with new thoughts, new aspirations, new standards, new ideals and conceptions of society.' The Metropolitan of India, at the time, sketched out the new movement in terms which, I am sure, will appeal to you all.—"One feature of it," he said "is apparent in educated India—there is life where there was stagnation. The spiritual nature of the Indian thinkers and writers is elevated at the prospect of an awakening East, an 'Indian nation', and a free and enlightened people. Educated India is tingling with a new life, and though the form taken may be at times crude and even repellent, it is nonetheless life, life, life. It would be easy to multiply equally eloquent declarations, but the latest testimony to the work of our Universities which I may fittingly quote, is that of Lord Lothian, the Chairman of the Indian Franchise Committee.

The Marquess of Lothian, speaking on the India Bill in the House of Lords, said:—"The Indian Universities are teaching the whole mass of Western education, and instructing their students in British constitutional history. They have in their a hundred thousand students, more than twice as many students as are in all the Universities of this country, and practically every one of them is a young nationalist, one and all wanting India to assume the responsibility for its own government." He then went on to ask "Who are going to be the leaders of India to-morrow?"



and he thus answered the question —The editors of the newspapers, who are going to be drawn from these students. The people who are going to be elected to the legislatures are the people, in large measure, who have had this kind of education. It is the University students who will also find their way into the Civil Service. The leaders of the great Indian Bar will be the products of the Indian Universities. Again, Indian business is being increasingly manned by people who have had a University education. The India which is going to be led by these hundred thousands students, mostly nationalist, will be an entirely different India from that which we have read about in history.

Surely you could not have more generous appreciations of your work and worth than those embodied in the eloquent passages I have read out to you. It is thus clear that while, like all human institutions, our higher educational system is not perfect, yet it has already rendered good and great service to the cause of Indian progress. I maintain that much of the denunciation of it—even when it is not interested—is wholly unwarranted, if not irresponsible as evidenced by the declarations I have quoted from eminent authorities. We may thus safely adopt, and adapt to our purpose, the language of John Morley, (in his famous essay on *Compromise*), that if "every age is in some sort an age of transition our own is characteristically and cardinal an epoch of transition in the very foundations of belief and conduct." That such a momentous epoch in transition, such mental upheaval and intellectual ferment, should be inevitably accompanied by occasional extravagance, or impatience, on the part of some young people, is not at all surprising. But I assert that the great Indian Renaissance, which is changing, with an almost kaleidoscopic rapidity the perspective, outlook and standpoint of the educated Indians, is a stern reality, which has got to be reckoned with by all concerned.

I need scarcely tell you that my object, in drawing your attention to these authoritative testimonies to the almost phenomenal success of higher education in this country is that as educated persons you should always bear in mind your great responsibilities in all that you say and do. You cannot, therefore be too careful not to play into the hands of your captious critics, and I hope that in all your activities you will steadily keep your great responsibilities in mind, so as not to give them a chance to hold up your class, and the system of higher education itself, to opprobrium. Probably sooner than later, you will be the leaders, in various spheres of activities, of the great movement which I have briefly outlined, and upon your ideals, aspirations, actions and methods of work will depend what turn that movement will take, for better or for worse. Now it is a trite saying that citizens must have a "high ideal", though it is difficult in actual practice to give an exact definition of that term. One thing, however, is certain. It will not be right for young men and women to be taught that they should be only "practical", and should confine their talents and energies to the immediate work before them, to things under their very nose, so to say ignoring larger issues or possibilities, and heedless of any soul-stirring prospects of the full growth of Indian manhood and womanhood.

You may, therefore rest assured that I am not going to hold up to you any grovelling or sordid ideal, though it may be dignified by the name of "practical politics" or "practical statesmanship" for I do believe firmly in the wisdom of the old Greek saying that "to blot out a high ideal is to take the spring from out of the year." I commend to you, therefore, the dictum of Lord Acton—the most philosophic of British historians—that "the pursuit of a remote and ideal object arrests the imagination by its splendor, and captivates the reason by its simplicity, and thus calls forth energy which would not be inspired by a rational, possible end, confined merely to what is reasonable and practicable." I, therefore, feel fully justified in appealing to you to place before yourselves high and noble ideals in all your work, including that of the regeneration of your great and historic country, since it is truer now than at any time past that where there is no vision the people perish.

Some of you might be familiar with a famous figure in Victorian fiction—one Mr Thomas Gradgrind—whose character is wonderfully portrayed by Dickens in *Hard Times*. Mr Gradgrind was (in the words of Dickens) "a man of realities, a man of facts and calculation", who had become a selfish and hard-hearted misanthrope by reason of his self education on the unidealistic doctrine of "facts", and as such he represented the type of humanity described by the self-centred and the unpatriotic as "exceedingly practical". He diligently practised in his household the system that he had evolved and perfected. "Facts" ruled him and his children, and imagination, fancy, and ideals were absolutely cut out of their existence. His favourite dictum

was—"Now what I want is Fact, Teach these boys and girls nothing but Facts Facts alone are wanted in life Plant nothing else and root out everything else You can form the minds of reasoning animals upon Facts nothing else ever will be of service to them. This is the principle on which I bring up my children Stick to Facts Sir

Those of you who have not read *Hard Times* should do so to discover what happened in the end to Mr Gradgrind and his family Suffice it to say that when almost all his children had been ruined and his home devastated, he learnt, when too late the lesson of his life that to be successful and happy one must not fail to leaven facts and figures, data and statistics with love, forbearance and noble ideals He then left "facts" in the background, and lived to found his views of life on "faith, hope and charity, on which alone both humanity and the individual can thrive best. Thus India needs at this juncture not weak kneed wobblers or mealy mouthed temporisers of the Gradgrind type, but "bold, very bold though not too bold leaders and workers possessed of not only patriotism and strength of character, but a will to do and a soul to dare in the assertion and maintenance of their just rights, even to verge of being moderately fanatical and who, when occasion truly demands it, will "ride in the whirlwind and direct the storm

"But enthusiasm and idealism by themselves"—I am quoting now from the Congress presidential address delivered at the Calcutta session of 1911 by perhaps the most gifted and the most intellectual of the sons of Lucknow, the late Mr Bishan Narayan Dar—"cannot achieve impossibilities And so while on the one hand, I warn you against working on so called practical considerations, it is, on the other hand my duty to point out to you the obvious limitation on your cherishing too high ideals which, if overlooked, will not only make your work fruitless but perhaps be even productive of harm to your cause That limitation is that your ideals should not be incapable of being even partially realised within a reasonable time Experience shows that the transcendental idealist which is only another name for the unpractical visionary, is often as much a hindrance to the reformer as the mere man of the world, who masquerades under the cloak of being "practical"

The point I am dealing with now was emphasised by Plato in one of his famous dialogues—that called *Theaetetus*—in which we find Socrates speaking as follows—"I will illustrate my meaning by the jest which the clever and witty Thracian hand maid is said to have made about Thales (the father of Greek philosophy) when he fell into a well as he was looking up at the stars She said that he was so eager to know what was going on in heaven that he could not see what was before his feet. This is a jest which is equally applicable to all idealists. I think that you understand me Theodorus? The latter—the friend Socrates was speaking to—assented by saying—"I do, and what you say is true Yes it is but too true, indeed If you forget what Plato insists upon through the mouth of Socrates, you will do so at the cost of your work for the country Gaze at the star if you will but keep your feet firmly planted on the ground That is true practical wisdom

The apparent conflict between the two seemingly divergent courses is successfully reconciled by Browning—that most human and manly of English poets—in one of his famous poems, wherein he says —

"The common problem yours mine, everyone's  
Is not to fancy what were fair in life  
Provided it could be, but first finding  
What may be, then find how to make it fair  
Up to your means—a very different thing  
No abstract intellectual plan of life  
Quite irrespective of life's plainest laws  
But one, a man who is man and nothing more  
May lead within this world"

"Not to fancy what were fair in life provided it could be", will obviously rule out of consideration what are called "ideal commonwealths." "Finding first what may be," clearly implies taking stock of the realities to find out what is practicable in the circumstances of each particular case So "finding what may be" means where, how and to what extent we have to adapt ourselves to our environment, while "striving to make it fair up to our means" is just where the individuality and the character of the worker step in Thus this great poet lays down that it is always possible to do something substantial to improve one's surrounding conditions, but only if the

realities before one are fully taken into account. What you thus need is a mind alert and active, to take stock of the situation, and a character inspired by the noblest ideals and aspirations, aided by that uncommon virtue, justly called "common sense." So fortified your efforts will lead to results conducive to good and towards the realization of your goal. That is a splendid lesson to bear in mind for all who may really be desirous of achieving success in the service of their country. While, therefore, you may peruse with pleasure and delight such great classics of idealistic literature, as Plato's *Republic*, More's *Utopia*, Campanella's *City of the Sun*, Bacon's *New Atlantis*, Harrington's *Oceana* and Butler's *Erechon* as suggestive of ideal conditions and consummations devoutly to be wished for, you must not forget your Browning, who teaches a due combination of idealism with practicality, or "practical idealism."

Many of you as befitting educated and talented young men, will probably take, in due course, an active and prominent part in the public life and the political activities of the country and will have to do a great deal with the working of the new Indian constitution. I, therefore, make no apology for inviting your attention to some only of its multitudinous aspects though many important parts of it are still in a process of incubation. Now that the India Act has received the Royal Assent, and is an accomplished fact, it would be, to use a popular but expressive phrase, "flogging a dead horse" to discuss the merits or the demerits of the details of the scheme embodied in it. You may remember that all the suggestions made by the Indian representatives to the Joint Parliamentary Committee, including even the very able and exhaustive memoranda presented to them by such eminent authorities as the Right Hon. Sir Tej Bahadur Sapru, and by the British Indian Delegation headed by His Highness the Aga Khan were practically ignored by the majority of that body, who made their recommendations to Parliament—as distinctly stated by them in their report—uninfluenced by the weight of advanced and progressive Indian opinion. The result of such an attitude on the part of the Committee has been that (as expressed by the supporters of the scheme) Parliament have chosen to frame a constitution which in their judgment, best suits present-day Indian conditions. While that may be so it is nonetheless permissible to one—without any disrespect to the authors of the scheme—to entertain a reasonable doubt whether the constitution thus framed is calculated to suit the political and the economic conditions of the India of to-day.

Time alone can show to what extent that is likely to be the case. I quite appreciate that a constitution cannot be altogether dissociated from the facts and conditions obtaining in the country for which it is intended, and that such realities cannot be twisted or tortured to make them fit an ideal constitution. But, after all, legislation by one country for another in defiance of popular opinion in the latter, is obviously not a sound principle of statescraft. It is not, therefore, altogether wrong to hold that no Indian constitution can be said to leave its foundation well and truly laid, and adopted to the essential requirements of modern India, which is not calculated to train the Indians—irrespective of consideration of caste, class or community—to realise, first and foremost, the fundamental unity and the absolute identity of their economic and political interests, as citizens and subjects of a common State. I must state my conviction in unhesitating terms that it was not at all impossible for the British Parliament—had they been but so minded—to have devised the new Indian constitution keeping this highly important consideration in view, without distorting the facts with which we are familiar in the present condition of this country.

As it is, the new Government of India Act may well remind a politically-minded Indian of the treatment meted out to his daughter by Mr. Barrett, a character in a modern drama, called *The Barretts of Wimpole Street*, in which the dramatist represents the love-story of the poet, Robert Browning, when he was courting Miss Barrett. Mr. Barrett was evidently the type represented by the Conservative majority in the British Parliament, for when the doctors prescribed for his daughter a particular diet, he (in his illimitable wisdom) would direct her to take some other thing, which he thought was the best for her health. He used to tell his daughter constantly "You are not the best judge of what is good or bad for you. Your likes and dislikes are quite beside the point. Believe me, I have nothing but your welfare at heart. I intend to give your better nature every chance of asserting itself, but you shall obey me this instant." I need not tell you how it all ended. Deeply disgusted with her father's treatment of her, Miss Barrett was forced to sever her connection with her home, which she left for ever to marry Robert Browning, without obtaining Mr. Barrett's consent or permission. The story points an obvious moral.

I am old fashioned enough to believe that there is the profoundest wisdom in the declaration made by General Smuts—statesman of international reputation—in the course of his rectorial address, delivered last year at the St. Andrews University that “to suppose that you can govern without the free consent of the governed, is to fly in the face of decent human nature, as well as the facts of history.” The conservative majority in the British Parliament may have voted to the best of their judgment in framing the new constitution for India, but if in doing so they have not kept in view the essential condition of a successful constitution as emphasised by General Smuts—that of securing for the scheme devised “the free consent of the governed”—then, I fear it may be but another case of their having sown the wind to reap the whirlwind.

Let us, however, hope for the best. Speaking for myself, I may claim that I am fortunately one of those—one of those few Indians; I believe—who do not attach an undue importance to the frame-work of a constitution, as I hold that an ideal constitution can not be made to grow and expand but by the people's own efforts. Nor can wider political rights be bestowed upon one nation by another by way of a largesse or a *Bukharish*, for they also can be secured only by contesting every inch of the ground with those in power. But apart from that, I think that the soundest view on the value of constitutions and large political rights was that expressed by old Dr Samuel Johnson in the well known lines he added to Goldsmith's famous poems, *The Traveller*, which I shall recall to your memory —

How small of all that human hearts endure

That part which laws or kings can cause or cure

If you will but think seriously over this problem, you will probably agree with me that it is not so much the text of a constitution that counts as the character of the men and women who work it. Our experience of the working of political institutions in all ages places it beyond doubt that the stability and utility of a State depend far less upon its form—or even on the written text of its constitution—than upon the character of its citizens. From this it follows that greatest wisdom and the highest patriotism consist not so much in seeing after an *ideally perfect constitution* as bringing to bear upon its working genuine patriotism, broad outlook courage of conviction, and strength of character, elevated by the constant exercise of our own free will, and efforts at independent, individual action. As John Stuart Mill truly observes “even despotism does not produce its worst effects so long as individuality exists under it and whatever crushes individuality is despotism by whatever name it be called.” And so General Smuts rightly emphasised, in his rectorial address that “it is only human values that survive and only men and women that matter in the last resort.” A distinguished contemporary political writer—Dr Joad—also justly insists —“The value which we place on the State depends in the long run, upon the value which we place on the individual. This then may be accepted as an essential truth of Political Science.

I would therefore, enjoin on you ever to be vigilant in the elevation of your character and also of those amongst whom you live and move. It would be idle to expect India to be the one solitary exception to the general rule which is deducible from the experience of mankind that political morality can have no more solid foundation than a high standard of individual character. This proposition could be easily illustrated by well-known historical incidents all showing that the greatness of a country does not depend upon the extent of its territory, or the strength of its population, but mainly on the character of its people. It is only by improving and elevating the character of the people forming a State, that it can be made stable and progressive, but if their character is at a low level, then no constitution—however well balanced, well-conceived, well designed, and well planned, on paper—can be of any advantage of the people for whom it is intended. I hope you will ever remember this great lesson of history, which is confirmed by the recorded experience of the working of constitutions in all ages and countries.

These observations do not, however, at all mean or imply that you are not to devote your talents and energies to the reform of your political system. Far from it what I desire to insist upon is that while in working a constitution you must not attach undue importance to its written text, you should nevertheless devote yourselves to raise the character of your people, by all legitimate means and methods, including the reform of your political institutions. I thus appeal to you to make a strenuous effort at a continuous re-adjustment between the elevation of the national character and the reform of the political system of the country which latter also is absolutely essential for progress, since in modern (and especially post-war) conditions, Govern-

ment everywhere is tending to be totalitarian and its influence on the character of the people is bound to be large and effective. As human character is not static but dynamic, it is bound to be influenced by its environment, hence the absolute necessity of developing institutions calculated to mould for the better the character of the people. But while conceding that character and institutions act and react on each other I hold that it is character that ultimately proves far more potent than institutions as conducive to progress and public weal. Hence my insistence on it as the more important of the two.

I am fully aware of the acerbity and the bitterness in the mind of the vast bulk of the politically minded Indians—especially of the younger generation—against the new Indian constitution. Nor is it at all surprising when one finds so moderate-minded a leader as Sir Chimanlal Setalvad—not only a veteran public man, but one well versed in the affairs of the State as an ex member of the Government, and an ex Judge under the Crown—declaring that “it was patently manifest that the enactment had grievously disappointed all parties in India, including even the minorities at the extent of the devolution of power to the representatives of the people. Again when one finds Sir Homi Mody—apparently a great favourite with the British officials and non officials in the country—telling them that “the new constitution has failed to command the enthusiasm of any section of public opinion in India as “at every subsequent stage (since the first Round Table Conference) the constitution was made progressively illiberal in a calculated spirit”, one can easily realize the extent to which the reforms have embittered the very soul of India.

But I shall ask you not to be cast down or feel depressed for the remedy lies in your own hands. Though many of you may feel that your position under the new political system will be no better than that of the Persian poet when he exclaimed in anguish — “You have confined me at the bottom of the river, and now say ‘beware do not wet your garments’ still there is no reason to despair if only you can call to your aid in working the new constitution those essential political virtues by exercising which your representatives in the legislatures will be only to assert the popular will (in spite of the rigid entrenchment in the new constitution of the many interests, which would form an almost impenetrable barrier to the growth and development of a truly democratic Government) but also to control effectively purely by constitutional methods and convention, the apparently uncontrollable powers vested under the “manifold multitudinous and complete safeguards—to borrow Lord Lothian’s happy phrase—in the Governor General and the Governors.

If you will but see to it that your elected representatives are absolutely the best men available endowed with political prescience, and possessed not only of sound judgment and moral courage, but uprightness and independence, who will not be influenced in the discharge of their duties, by either personal or communal considerations, not an easy task that, I admit, since they will all represent communal or sectional electorates—your Ministers, who will form (in the provinces) the executive, will then probably be persons whose soul the lust of office will not kill, and whose mind the spoils of office will not buy or corrupt. If your representatives in the legislatures are men of the right sort, then in spite of the inevitable drawback of their being but sectional or communal representatives, it will not be possible for the Governors and the Governor General to choose as their Ministers men who will sell their birth-right for a mess of pottage, just to serve the hour, or pester with their conscience for obtaining one or more of the many badges of subservience by means and by reason of which our public life is already hopelessly demoralized or allow themselves to be treated as but gilded tools for servile uses or unpatriotic purposes.

If the new constitution will but put you on your mettle, and evolve in its working not only true parliamentary mentality but all that is noble and steadfast in Indian character then it will have established, once again the truth embodied in the old saying that there is a soul of goodness even in things evil. If you work it on the lines and in the spirit which I have ventured to suggest—namely not for what it is worth but for what we are worth—I feel certain that you will have not only turned a seeming failure into a success, but succeeded in evolving before long a constitution better adapted to the economic needs and the political requirements of India, and also in consonance with our ideals and aspirations.

I suppose no convocation address delivered at present will be regarded as complete if it ignored the question of communalism. In fact, this burning topic has already formed the subject-matter of a convocation address at your own University. Since then the situation has grown worse, and matters have come to such a pass that not only have some of our provincial Governors had to appeal to the public, from time

to time, to suppress the terrible and tremendous evil of communalism, which is eating into the very vitals of Indian life, but no less exalted a personage than the Viceroy of India, in the course of his reply to the address presented to him but some months back, by the municipality of Allahabad, referred to the subject in language of genuine sincerity and great earnestness. His Excellency said—"I know of nothing that does so disastressfully the machinery of administration as internal jealousy and disharmony. The shadow of communal dissension and ill will is hanging at this moment all over India, and it is the duty of all those who have the welfare of this land at heart to show courage, wisdom and, above all, tolerance, towards all men, so that this evil miasma may be dispelled. I appeal to all to join hands in creating better feelings and greater concord among the communities of India. Never in her history was there greater need for such united effort." It would be impossible for any one to improve upon the language used by His Excellency Lord Willingdon, and I shall beg each one of you to do what you can to suppress the demon of communalism in your thoughts and actions, alike in your private relations and public activities.

But while appealing to you to do your best, and to strain every nerve, to stamp out communalism both in your private relations and also in the discharge of your public duties, I shall not be true either to myself or to you, if I do not tell you that even with the best of motives and intentions, and the sincerest desire to follow His Excellency the Viceroy's sound advice, you will find your task one of tremendous and almost insuperable difficulty. You should, therefore, be prepared to meet with many disappointments before you can hope for any appreciable measure of success. The reason for it—as frankly stated by that distinguished publicist experienced businessman, and almost moderate-minded politician, the Honble Sir Pheroz Sethna, in a speech lately delivered by him in the Council of State—is that "the principle of communalism is freely and almost aggressively recognised in the constitution and in the administration" of the country. "What wonder is there," asked Sir Pheroz, "if communal spirit and ambition are aroused to an undesirable extent, and if they at times manifest themselves in communal antagonism?"

Thus absolutely correct diagnosis of the present situation shows how the wedge, making for the growth and expansion of communalism has been driven deeper and deeper into Indian life, until almost all spheres of our activities are now affected by it. While therefore, in normal circumstances, every word of Lord Willingdon's appeal would have struck a responsive note in the heart of the people we can understand the reason if no such result ensues in the present condition of the country. The relations among the various communities will, I fear continue to become worse and communal concord is not likely to prevail amongst them unless they are made to realise, by means of the working of the administration on right, sound and impartial lines that all the Indian subjects of the Crown do constitute one people and should be treated as such in all matters in which the State has to deal with them. There can be no surer method of promoting mutual toleration and goodwill among the various sections of any people, than by creating in them a strong sense of identity of interest in all matters affecting their daily life, as subjects of a common State. If this be not done, and if the centripetal forces are not only not availed of but are rather subordinated to the centrifugal ones, then it is idle to expect any "united effort to dispel the miasma of communal dissension and ill will."

Bacon wrote in his famous essay on "Sedition" that the best way to root it out was to remove the cause of it. Similarly, the one way to re-establish peace and harmony in India is to eradicate the causes that have generated the existing disorders and dissensions. And I maintain that only by enforcing the lesson—not by precept alone but by actual practice that in all their relations with the State the various Indian communities are one and indivisible can it be reasonably expected that the shadow of communal dissension and ill will, to which His Excellency the Viceroy referred, will be permanently removed. The condemnation of communalism and the preaching of toleration, mutual good will, and respect for each others point of view, by all interested in the welfare of India, is very desirable, but the lesson of history is writ large—and he that runs may read it—that it is only by the establishment of sound and healthy condition conducive to the growth and development of nationalism that success in this direction may be hoped for.

I fear, I have taxed your patience, and shall not be justified in trespassing on it much longer. But I desire to impress upon you with all the emphasis at my command that while you should conserve, in your habits and character, all that is healthy and wholesome in our social traditions and institutions, it is nonetheless your bounded duty to educate yourselves to modify and adapt them to your present day environ-

ment. In addition to revising the old standards of ideals and conduct in the light of the ever-changing conditions in the world, you should train your mind to make it responsive to new lines of thought and action. Only thus by proper conservation and assimilation will you combine the culture of the East and the culture of the West, and falsify the half-truth that they can never meet. You have thus before you a limitless field for your labours and activities. To keep yourselves in robust and vigorous health, to eschew the many defects which we have inherited because of our historical antecedents, to acquire and develop those good and desirable qualities which we are wanting in, to eradicate baneful customs, to bring the light of knowledge to the masses by propaganda for village uplift to better their economic condition, to reclaim the backward classes to a higher standard of life, to ameliorate the position of our women, to promote closer and more cordial relations amongst the different communities, to build up the industrial strength of the country, and, above all, to teach by the example of your life and conduct that the people of this great and historic country are now, what they claim to be "a nation",—these and many other useful public activities will afford to your talents and energy ample scope and occupation for a whole lifetime, and there will yet remain something unattempted, something left incomplete.

Though much good work has been done in the past by our reformers and leaders, it is obvious that very much more yet remains to be done, and we have yet much lee way to make up. You may thus still hope to dream many bright dreams about the great future of your country if only you are prepared to do bright deeds for her. The work before you in the way of regenerating our dear Mother land, is yet so vast as to call forth all that is noblest and best in you, and if only you will approach it in the right spirit, you may depend upon it that no young Alexander amongst you need ever feel disappointed at the prospect of there being no more territories left for him to conquer on the ancient banks of the Ganges and the Jumna. Remember that a new era is dawning on India. Though we are still but wayfarers in the twilight, and chariot of the Sun God will take years to mount the horizon yet it is already aglow with glimpses of a new destiny. It rests entirely with you what you will make of that glorious prospect. God grant that you all may contribute handsomely by your character, patriotism and selfless work, to the progress of India, so that in the fulness of time she may take her proper place amongst the greatest nations of the world.

Still glides the stream, and shall for ever glide,  
The form remains, the function never dies  
While we the brave, the mighty and the wise,  
We men who in our morn of youth defied  
The elements, must vanish—be it so!  
Enough, if something from our hands have power  
To live, and act, and serve the future hour,  
And if, as toward the silent tomb we go,  
Through love, through hope, and faith's transcendent dower,  
We feel that we are greater than we know

May it be your great privilege to carry on your life-work for the service of your country inspired by these majestic and soul-stirring lines of Wordsworth!

## The Allahabad University Convocation

'Keep before you the motto of all true sportsmen. Be fair to everyone and always chivalrous to the weak, was the advice given to the students of the Allahabad University by *R H the Nawab of Bhopal* delivering the Convocation address on the 5th December 1935

His Highness at the outset, recalled the days when he was himself a student of the University. He foresaw for the young men bigger opportunities of serving the country and said, "In planning the system of the education hitherto followed by us, we seem to have unconsciously reversed the accepted order of things by trying to impart to our students better knowledge of that which is far away than of that which is

near and around them. The majority of young men are apt to know more about Chaucer and Tennyson than about Kalidas and Ghalib and strangest of all, more about the English Language than about their own mother tongue. All this is unnatural and has to be changed if the basis of our national life were to be strengthened.

His Highness emphasised the removal of narrow sectarianism and differences of castes and creeds and fostering the gospel of love and mutual toleration which alone could heal the wounds caused by the recent conflicts and bring lasting peace to suffering humanity. What India needed most was youngmen with strong nerves and broad shoulders to bear cheerfully the responsibility which would fall to their lot and he suggested greater attention being devoted to the physical well being of young men.

Referring to the Constitutional Reforms the Nawab emphasised that co-operation of the States was necessary in building up greater India and said that supreme effort was necessary if they were to save themselves from falling into a quagmire of political and economic uncertainties from which so many others were trying vainly to extricate themselves. In the course of his speech the Nawab said —

In an age when one half of the world seems to be ranged in battle array against the other half the development of character assumes the importance of a sacred duty for universities. If they send out into the world young men possessing balanced minds and a correct perspective of life they for their part will have done their best to serve the cause of humanity. But if, on the other hand, they continue to believe that it is only with the development of intellect that they are concerned, then instead of being a blessing, they will become yet another menace to the well being of human society.

Gentlemen, to me it has always seemed a debatable point whether the complete secularization of education has not on the whole done more harm than good to society, and whether the time has not now come for us to consider the desirability of openly giving to religion, in the widest sense of the term its old honoured place in our system of education. This besides being in consonance with the highest traditions of our country would also tend to re-establish in our inner life that harmony which is to-day so woefully absent from it.

Our universities have to be something more than mere imitations of similar institutions in other lands, and so long as they remain, as I am afraid they are at present, shyly conscious of the fact that they are imitations, they will not be able to regain that confidence in themselves without which they cannot become for us real sources of inspiration. Let us not forget that education is so organic a part of a nation's life that systems transplanted from other countries can never be anything more than exotic creations, and that a university that does not reflect correctly the best culture of her surroundings is doomed to dwindle into insignificance and, finally to wither away like a plant that has failed to take root in the soil in which it was planted.

We in India stand to-day on the threshold of great changes, and it is time that we made a comprehensive survey of our present system of education and took steps to effect those modifications which we consider necessary to ensure the best results. Bigger opportunities of serving our country are to be offered to the young men of this generation and of succeeding generations than were offered to their predecessors, and in the test only those can prove successful who possess large hearts, high ideals and clear visions.

Situated as we are, for no people is a careful study of their past as necessary as it is for us. Without it we can neither understand our present environment nor mould for ourselves a great future based on a sympathetic understanding of the origins and cultural contributions of the different races inhabiting our vast country. Mutual understanding alone will create mutual sympathy, and bring in its wake that healthy patriotism which, without being aggressive or offensive, will remove for all time from our path the obstacles to day offered by narrow sectarianism and differences of castes and creeds. Our contribution to the general happiness of mankind will be great if we can show how it is possible for human beings, differing from each other in language, race and religion, to live together as one people united in the service of their motherland.

Gentlemen, I look forward to the day when from our country, which has ever been the home of religions and philosophies there will again go forth into a distracted world, for the second time in our long history, that gospel of love and mutual tolera-



tion which alone can heal the wounds caused by recent conflicts and bring lasting peace to suffering humanity

I assure you that at no juncture in our history was this spirit of co-operation more necessary than to-day, when the whole world is watching us to see what use we make of the opportunity to shape the destiny of our land which is now beginning to be offered to us by a radical change in our system of government.

Unfortunately there is a sharp difference of opinion in our country with regard to these constitutional reforms. This was only to be expected in such a complex situation as ours, and should not disappoint us or make us adopt the purely negative attitude of belittling the result of an earnest attempt to solve one of the most difficult problems with which statesmanship has been faced in modern times. These reforms are by no means perfect. No one has ever put forward that claim. But what I do maintain is that they are not as wholly bad as some would have us believe. No critic, however severe who studies them dispassionately can seriously make the statement that in their sum total they do not represent a substantial advance. We wish they could have gone much further but the undoubted difficulties that at present lie in the way cannot be ignored—difficulties for many of which, I am sorry to say, we have only ourselves to blame. To have ignored hard facts would have been of no help for the best way to overcome them is always to face them boldly. In politics, as in many other spheres of life one has to be prepared for compromise to achieve great results. If one cannot get the best, one must be ready to accept the second best. In the case of these reforms I feel confident that given the necessary sincerity of purpose, we shall succeed in effectively overcoming that which to-day seems to us insurmountable.

So far as we of the States are concerned rest assured that, as in the past so in the future, we shall ever consider it the greatest of all privileges to give of our very best to the building up of that greater India for which we are all longing

## The Rangoon University Convocation

The following is the text of the Convocation Address delivered by Sir Hugh Lansdown Stephenson, Governor of Burma, at the Annual Convocation of the University of Rangoon held on the 5th December 1935 —

### Members of the Convocation

Last year I delegated the privilege of addressing the Convocation to our Vice-Chancellor U Set because, being in close touch with the day-to-day working of the University, he was in a better position to place before you the details of the University's work and the direction in which it was trending. This, however, will be the last opportunity I shall have of addressing the University publicly and I have therefore reserved the honour for myself. Two years ago I said that the University was complete so far as anything organic could be complete, and thus would ordinarily be a suitable occasion to review the progress that this completed organism has been able to make during the three years in which I have been Chancellor. Unfortunately, these three years have been a period of unrelieved financial depression. Government has had to reduce its grants to the University very considerably and the administration of the University has been a struggle to keep the work going within the limits of the available finances. In the circumstances, any attempt at a review of the work of the last three years would be of little value and would give an unfair impression of the University. I think, however, we may congratulate the University on the success with which it has continued to function during this difficult period. It is not too much to say that the task would have been impossible without the assistance of the Endowment Trust, and we realize how wise our predecessors were in their efforts to establish this Endowment Fund. We may hope that the tide is now turning and better times are within sight. Undoubtedly, Government must, in due course, restore its grant to the full amount and if possible increase it, and thus set free the Endowment Fund for press work of academic importance. But it must be remembered that the University is not the only sufferer from retrenchment. All activities of Government

have suffered and the work of restoration will perforce be gradual. The University is the apex of our educational system, but it is only the apex and is directly related to the rest of the structure. Every one will agree that retrenchment in educational expenditure is not an economy. It may be that the money has not been spent to the best advantage in the past, but the remedy for that is to improve the system and not to retrench the expenditure. It will certainly be one of the first tasks of the Government under the new constitution to satisfy itself that the educational system of Burma is sound from the bottom upwards, and the Committee which is at present sitting is tackling a part of this task. This will doubtless demand increased expenditure and the University can only claim its share of increasing expenditure as part of a properly proportioned system of education as a whole. It is relevant in this connection to consider the apparent wastage in the University at the Intermediate stage, a wastage which will certainly have to be remedied if the University is to hold its place in a properly proportioned system of education.

In my address two years ago I asked what it was we wanted our University to mean to Burma, and I pleaded for as close a connection as possible between the work of the University and the practical and material life of the country. Its primary contact of course must always lie in the training of the minds and character of the future citizens of Burma. But the work of the University must also embrace practical research. During the past year such research has been conducted in Biology, Engineering, Physics and Chemistry, while the Boards of Oriental Studies and of Studies in Geography and Geology are also carrying out investigations which are of primary and practical importance to Burma. Research is, of course, a slow process and it must be done systematically and immediate results cannot often be looked for. It must therefore be able to depend upon regular financial assistance which it is very difficult for the University in present circumstances to afford. I would therefore appeal to the wealthy citizens of Burma to give money for the endowment of specific researches. In the new chapter that is opening before the country the place of the University will be one of great honour and importance. We shall look to the University to train and send forth properly equipped leaders and pioneers of the new life of Burma. It was for this that our predecessors laboured to found the University, and it is our duty to see that their intentions are worthily carried out.

During the last year I, at least, have heard much of the controversy over the question of making the Burmese language compulsory for admission to the University. The Senate has recently resolved that from 1938 onwards a pass in any of the vernaculars or second languages recognized by the Government for the related High Schools will be accepted by the University for purposes of Matriculation. The resolution has caused Government to re-examine its policy with regard to vernaculars or second languages in schools and I hope that a satisfactory and permanent solution of the problem will soon be found. One of the main objects of the University of Rangoon is to turn out properly equipped citizens of Burma and it is essential for their utility in future life that these citizens should have a reasonable knowledge of the Burmese language. We do not want to force all our citizens into one mould or to make them disregard the religion or the literary civilization of their forebears. But we are entitled to require that, non-Burmans, if they are to be the citizens of Burma, should have a reasonable knowledge of the language and civilization of the country, even if this involves an extra strain owing to their keeping in touch at the same time with their own literature. I confess, however, that I have little sympathy with the extreme view that, because the Rangoon University is in Burma, all its teaching should be imparted in Burmese. We want our students to have access to the best knowledge, to the highest thought, that there is. If that cannot be found in Burmese, it would be wrong to restrict our students to Burmese and to limit their opportunities. The idea that Burmese should be the sole medium of instruction appears to me to arise from a rather perverted spirit of nationalism.

During the year the various Students Clubs and organizations have continued to function satisfactorily. These all form an important part of University life and I am very glad to hear that through the generosity of the Endowment Trustees there is a prospect of a new swimming bath. I should also like to express my sympathy with the Training Corps in regard to the hardships they suffered from the weather in their recent camp.

The retirement of Mr Symna, Director of Public Instruction, created a vacancy on the University bodies during the year which was filled by his successor in office Mr Quinlan U Set was re-elected during the year as Vice Chancellor of the University, and I am very glad that we still have the great advantage of his experience and help. We have lost through death two of the Members of the University Council U Ba Kin, K. S. M., T. D. M., retired Deputy Commissioner, and U Kyaw Dun, M. A., K. S. M. U Kyaw Dun was a well known Burmese scholar and for his services to Burmese Literature the University conferred on him the Degree of Master of Arts (*Honoris Causa*) in 1933. A former Member of the University Council in its early days, Dr N. N. Parakh, has also passed away. He was a Member of the Board of Studies in Medicine up to the time of his decease. I am sorry to record that this is the last Convocation that Mr Sloss, Principal of University College, will attend. His services have been of the greatest value both to the University and to University College and we have every reason to regret his departure.

And now as Chancellor I have to address particularly those of you who have just taken your Degrees and perhaps I may speak to you not specially as Chancellor but as a well wisher of Burma whose forty years experience gives him possibly a clearer vision beneath the surface than is open to your younger eyes. Burma stands upon the threshold of a great adventure, we go forward with every confidence but our path leads into the unknown. Government of the people by the people is a new experience for Burma and the responsibility for making it a success will lie in great part on you and those who follow you. It is a somewhat ghb commonplace that the future of a country depends upon its youth. What I want to bring home to you is that the future of Burma depends not so much on what you do as on what you are. Burma is not going to find salvation in school boy strikes, and politicians and others, who encourage these ebullitions, do their country, in my opinion, a great disservice. The backbone of a country is a sound enlightened and moral public opinion and in my view the basis of that is loyalty. I am well aware that in this age of shibboleths the word loyalty is apt to be discredited as a badge of slave mentality, whatever that may mean. What I am speaking of now is loyalty to yourselves, to your ideals to the best that is in you, and that is the only sound basis of loyalty to your King and Country. What was it that rendered possible that wonderful outburst of loyalty to Their Imperial Majesties at the Silver Jubilee throughout the Empire? Surely it was the realization that Their Majesties stood for all that was best in each of us, that they were the embodiment of our ideals of character and conduct. Burma's need in the difficult times before us is not so much able individuals to guide the details of administration, doubtless these will be forthcoming as a solid and enlightened public opinion that will ensure that the administration is in accordance with the highest standards we can form for ourselves. It is the task of all those who are privileged to receive their training at the Rangoon University to create that public opinion. This is a very different matter from political propaganda, you may have very divergent views on political theories or policies but public standards are a matter that should be the common concern of all parties. You can only fulfil this task of yours by being loyal to your ideals, by being true to yourselves. If you pander to self-seeking either in yourselves or others, if you condone dishonesty or corruption, either because it is successful or because other people do not seem to worry about it, you are disloyal to Burma. I am shortly leaving Burma but I shall not leave behind me my interest in its welfare and the best contribution I can make to welfare is to exhort all those who pass through the University to cultivate high ideals of social service and public morality and to be loyal to those standards and refuse to compromise them.

## The Nagpur University Convocation

His Excellency Sir Hyde Gossau, Chancellor, presided on the 7th. December 1935 over the 12th convocation of the Nagpur University, when 460 graduates were admitted to the various degrees, including eight women. In inaugurating the Convocation, Sir Hyde congratulated Mr Bhawani Shankar Niyogi, the retiring Vice-Chancellor, on his two fruitful and successful terms of office and said

"The number of colleges affiliated to the University has been raised from 8 to 12 In spite of the law's delay, the scheme for the building of a technological institute with the funds of the Laxminarayana bequest has received practical shape. Special attention has been paid to the problem of physical welfare and a great step forward in female education has been taken by the starting of a Central College for Women and by the appointment, the first in any Indian university, of three ladies as heads of three of the University Departments of Studies. The Chancellor also paid a tribute to the late Dewan Bahadur V. M. Kelkar, who was Treasurer of the University since 1923 and welcomed Col. K. V. Kukde, the new Treasurer.

Introducing Mr. M. R. Jayakar, H. E. the Chancellor remarked, "As a student, professor and public speaker he is worthy of your admiration and your emulation, as it was amongst students that he laid the foundations of that reputation for oratory, which he has acquired so deservedly. His work as patriot and politician, specially at the Round Table Conference is well known to all of you and it will be of interest to you as students to know that he had no small claim to distinction in the academic world as well."

#### MR. JAYAKAR'S ADDRESS

The necessity for the creation of a faculty of Indian culture was emphasised by Mr. Jayakar in his address. He said there were many points of affinity between the culture and literature of several communities inhabiting India and by means of such faculty they would eventually rear up a race of Indians in complete affinity with one another's modes of life and thought. Thus the seeming conflict created by political facts will be neutralised by sympathies awakened in the region of culture and scholarship.

Mr. Jayakar advised graduates to break through sectional, religious and caste barriers in early years of life so as to avoid the extremes of racial antipathy which was always the result of ignorance and prejudice. He expressed satisfaction at the varied progress of the University and said that people in other Provinces would watch with interest "the possibility of your institution developing into a Federal University. There was nothing surprising that, with political Federation in sight a young University like yours should cherish the ambition of developing on federal lines."

In the complexity of the daily work of the University, said Mr. Jayakar it is not always easy to keep in view the connection between the character of a society and the nature of its education. Yet this truth is so vital that it can never be too strongly stressed. We are apt to imagine that Colleges are something apart from the social order to which they belong and of which they are the products. In a country like India, which is rapidly changing under the pressure of social and political conditions, it is more necessary than elsewhere to remember this principle. When the older Universities were founded in India, the main need was to supply officials for Public Service, more or less in a subordinate capacity with ambitions and initiative so regulated and controlled as to serve the main purpose in view. Since the days of their foundation, the older Universities have been supplying this want. The time has however now arrived when this aim of education must be subordinated to another which will endeavour to create bolder spirits, with a more restless spirit of inquiry, wider ambitions and larger intellectual intrepidity, coupled with an increasing desire to pursue their work in obscurity and oblivion, unclouded by material ambitions, and willing to place at disposal of the country their priceless gifts and achievements. Indian education must accordingly adapt its methods and processes to this need. India finds herself in an increasingly new environment, making it necessary for the Universities to undertake an intellectual planning with bold and creative insight. They must teach a new way of life suited to the needs of the hour.

In this connection Mr. Jayakar referred to the American definition of 'liberal' education. It is not, he said, training in technical skill, for instance, preparing for a vocation, nor is it instruction in knowledge. These two are only the means, but not the end in itself, which must be kept absolutely distinct. The end is to use these means called liberal teaching to produce the "liberal mind" meaning thereby the creation and cultivation of the faculty called "intelligence." By that term, modern educationists in that progressive country mean a power of self-direction in the affairs of life. One author of great eminence in matters of education describes it in the following words: "Intelligence capable of being applied in any field, ability to do what you have never done before." Intelligence, is "readiness for any human situation. It is the power wherever one goes, of being able to see, in any set of

circumstances, the best response which a human being can make to those circumstances, and the two constituents of that power would seem to be—(1) the sense of human values, and (2) a capacity for judging situation and furnishing possibilities for the realising of those values.

The attainment of this quality would seem to be easier, were we dealing with a simple system of homogenous intellects or studies, but with our diversity of systems, intellects and cultures in India, the problem would appear to be more difficult. The Indian system of education, taken in its broad outlines, resembles an educational ladder, commencing from the primary school, going through the Middle and Secondary Schools, and terminating in the apex of a college degree or post-graduate studies. Millions enter few reach the top, or even pass through the last stages. All intermediate stages are, by a great mistake, regarded as merely preparatory for the final stage and not being a preparation in themselves. Large masses of students who never expect even to approach the final stage and would, by reason of their training and environment, be incapable of taking an interest in concerns at the top, obtain no benefit from the training during the intermediate stages. No system of education can be suitable for a vast and poor country like India, with its teeming millions and varying grades of culture, with different economic and industrial needs, social requisites. (1) the creation of many "landing places" where the student may appropriately leave the main educational ladder and climb up another in a different direction and leading to a different goal. Many such intermediate and subsidiary ladders can be imagined. They would teach skill in some limited field of activity, for instance commercial arithmetic type-writing, stenography book keeping, home economics, music painting, sculpture, agriculture, mechanical and electrical engineering law, medicine, etc etc. In all these branches of activity the aim is to cultivate in the student the ability to ply a trade or profession and master any one of the special enterprises in which human beings engage. The second requisite is that these subsidiary ladders should not be interdependent or inter-connected. Each goes its own way and attempts to prepare the student in his own special interest or vocation. The pupils being drawn into these subsidiary branches comparatively young, the teaching is not expected to be so fundamental, far reaching, or scholarly as for instance that provided in the Post graduate School for the same branch of knowledge.

It appears that under the present system, we push every one up the main ladder, regardless of his fitness for the ascent. Those who drop off, very often from circumstances beyond their control straight to the bottom, lose educationally the whole benefit of the ascent they had made till they fall off. We cannot afford to ignore that we are at present dealing in India with a comparatively simple society. Science and industry have not yet been developed. Sudden changes of economic conditions constantly occur. Social ideas are rapidly changing, the professions are few and hereditary, political conditions often oppress the rise of Indian intelligence, and lastly there is a rapid change in the sense of values. It seems to me, therefore, obvious that our Universities must take up the work of inquiry and research in this direction, as other Universities in similar surroundings are doing in England and America. The need is to devise cheaper and shorter courses running alongside the main curricula and suited to the conditions of present day society. We must not forget that the bulk of India's population lives in villages and there are 6 to 7 lakhs of villages awaiting development. A nexus ought to be established between the Universities and the villages, as is done in some other countries. It is a truism to say that village regeneration cannot proceed from uneducated or ill-educated men. It must be taken in hand by young men whose instincts are sympathetic, training adequate and methods modern. The primary object of devising such courses will be to meet the wants of the country at large, but the incidental effect will be to relieve the pressure at the top, to weed out the unfit, to provide employment for less gifted men, and establish a close affinity between town and country, which is very much lacking at present owing to Universities working in capital towns only.

No serious attempt has yet been made to bring secondary education into greater accord with the needs of the lower school. We made the initial mistake of making the lower studies slavishly preparatory to the scholarly and literary work of the graduate stage. In doing this, we forgot that not one student in a thousand who entered a secondary school was fitted, either by his means, tradition or training, to reach the College or Post-graduate courses. The result was that Colleges suffered and secondary education deteriorated. Reform in this direction has so far proceeded on the basis, which, in my opinion, is a mistaken one, tinkering with secondary education, invariably making it stricter. If we must have the "landing places" I have des-

cribed above, where the audit and unwilling can leave off the main ladder, opportunities must be created for hundreds of persons who enter College, for seeking swift employment, first by creating new avenues of such employment and then by providing exits at which the aspirants can get out with adequate training and without sacrificing the benefits of what they had learnt. I am aware that this reform is largely connected with the high policy of the State, but I am not without hope that, when Universities get more and more into touch with Governments, as I am confident will be the case under conditions to be established by the next Constitution, a united attempt will be made to relieve the pressure, in which the Government and the Universities will take their adequate share. In such a united effort alone lies the proper cure for unemployment.

Your province has special advantages, geographical and cultural, for developing another feature of University life, so vital to the present needs of our country. You have in your Province several communities and then culture meeting on a common platform of corporate effort. You have a Hindi and Maharathi section, both equally prominent. Amongst the languages spoken here, Urdu and Hindustani find a co-ordinate place with Marathi. I would recommend the initiation of a Faculty of study—one more addition to the many that you have already created—aiming at the “intellectual nation building” of the people. Religion may divide India, but it is possible for us to meet and unite on the platform of a common veneration for another’s culture and civilisation in India. Politics and culture have an affinity not often recognised.

But, the vital question is how is the University preparing its alumni to participate in the moral and political life of the country? University distinctions are an admirable thing in their own way, but they can be no substitute for the spirit of sacrifice, the capacity “to bear each other’s burdens”, which are so needed in the outer world. That is a task on the accomplishment of which every student can make his contribution. He can help or hinder in the maintenance of that generous community of love, the fellowship of friends who have no aims which they need hide from one another. It is in his hands to create tradition so that his college years will prove a permanent treasure of happy memories sustaining him in the trials of the outer life with strength and sweetness. The very definition of a good student must change in modern times. It is not necessarily one who secures University honours and distinctions by leading an isolated, self-centred life but it is one who contributes most to improve the life of his fellows and to help them towards the attainment of the highest level of collegiate life. It is no doubt true that the primary duty of every undergraduate is self-culture and the training of his powers. He has to fill his mind with knowledge and assimilate it. I am aware that, in achieving these purposes, certain competitive processes are unavoidable. He has mainly “to bear his own burden,” which may seem to exclude all thoughts of “bearing the burdens of his fellows.” I am aware that the feeling is largely heightened by the modern system of examinations. All competitive methods have this defect that they breed an exaggerated sense of rivalry, superiority, success and defeat—the feeling that the gain of one is the loss of another. Nor is it possible for undergraduates, while in college, to neutralise this competition feeling by undertaking pursuits directly aiming at social and altruistic endeavours, as grown up men can do in responsible positions in life. The undergraduate “cannot anticipate life in such a way as to hinder his preparation for it.” But the cure lies in the very nature of college life as it exists at present, and if it is properly lived, you find yourselves thrown into most intimate relationship with your fellows. In most cases even your duties towards yourselves often involve the subordination of your own selfish purposes to those of your fellows, whose aid, co-operation, guidance and good-will are often necessary for your success. It is this feature of mutual dependence even for purposes of self-culture that is the one hopeful characteristic of college life.

It is wise to avoid, while in college, an exaggerated sense of value of University honours. They have their place in college life, but can never be a substitute for the acquisition of social virtues which are so necessary in the outer life of the world. It is wise to remember what a great educationist said about these honours—“They give us a fixed aim, towards which we direct our efforts. They stimulate us by the love of honourable distinction. They supply the lending strings which we need. But still in reaching for honours, every one should understand that the value of them, the love of them, may be carried too far. They do not make us what we are, they are but a stamp of what we are, which may sometimes be wrongly imposed.”

In your progress through the period of your college life you will, I am sure, develop the quality of ready sympathy of making friends and living their lives. If you take it a pleasant habit, you may retain it after the period of youth is passed. You will likewise employ your four years in college in acquiring a facility for assimilating new ideas. This is a great privilege of youth which you must learn to carry beyond the period of college life.

In conclusion, Mr. Jayakar quoted the wise words of a Hindu seer, one of the composers of a Vedic hymn centuries old, wherein was enshrined, in words of immortal wisdom, the ideal of a corporate educational life, as it was envisaged in those days: "Meet together, talk together, may your minds comprehend alike, common be your action and achievement, common be your thoughts and intentions, common the wishes of your hearts, so there may be thorough union among you." (Rig Veda X 12, 191)

## The Punjab University Convocation

In the course of his Convocation Address delivered to the students at the Punjab University Convocation held on the 21st December 1935, His Excellency the Governor said —

"A student of to-day has more confidence in himself and a greater sense of self-respect. He has also a spirit of comradeship. Modern development of games is bringing into wider exercise his innate qualities of sportsmanship.

"These seem to me to be some of the characteristics which are required to redeem the Punjab from the sectarian and communal influences which cloud its present and threaten its future.

"I am often told when a communal disturbance occurs that the ignorant masses, and especially the bootlagers are entirely responsible. It may be and often is the case that the goonda element start rioting and take active part in it. But I have always refused to accept the comfortable theory that the educated classes are immune from any responsibility.

"On the contrary, communal disorder is merely the culmination of the sectarian strife and bickering in which men of education, who should know better, are mainly concerned.

"In any case, education must be written down as failure in this province if the men it produces have not got character or courage to influence the masses against the movements and tendencies which every educated persons knows to be directly opposed to the welfare of the province and its people.

Continuing His Excellency said that self respect and self-confidence are powerful correctives against communal suspicions and animosities. If the people of different creeds wish to live in harmony with each other they must have faith in themselves and in each other and it is because they temporarily lose this that bitterness and doubts arise. A stranger who did not know the Punjab and who depended for his knowledge on the writings in the Press and general trend of the speeches at the present time would believe that each community was living in a water-tight compartment and its chief object was to do harm to others. He would envisage a state of perpetual hostility devoid of any mutual respect or any mutual service a condition of warfare in which one community was desirous of scoring or at least of claiming victory over others. A little enquiry would, however, reveal a different state of affairs.

Concluding, His Excellency said that greater faith and charity are needed and a university man can help to supply these by maintaining his own self respect and by practising and preaching confidence in others which he learnt during his student days. Again, he can practise in after life the lessons of comradeship which he has learnt at the University.

The problem of communalism would cease to exist if the ordinary relations of life were governed by the same principles of sportsmanship as influence a great majority of students. Fair play is the first essential of sport and only too often

communalism is the very negation of fair play. Believe me, the solution of communal dissension lies in the hands of the educated classes and not of the masses."

His Excellency analysed the present education system and stressed the need for diverting education in suitable stages into various channels such as technical and vocational. He pointed out the difference between the East and the West in the matter of opportunities to young men.

While in the West, he said, there were many roads along which the youth could travel if not to fame and fortune, at least to an honourable and successful career, in the East the outlook was so circumscribed that hundreds of boys proceed to University career because there was nothing else to do.

The stuff was there all right, but a good deal of it was being subjected to unsuitable processes and passed through a machine "which produces it in true quite a fair article, but not the best of which the raw material is capable. This is a great defect of our educational system."

## The Osmania University Convocation

The following is the text of the address delivered by Mr A. H. Mackenzie, Pro-Vice Chancellor at the Osmania University Convocation held at Hyderabad in 1935 —

Your Excellency Mr Vice Chancellor and Members of Convocation

Of all audiences in the world a Convocation of Indian graduates and students is the most courteous and considerate. I have heard the convocation address of a University described as that species of discourse which proceeds with heavy tread from platitude to beatitude, and, more unkindly as one of the acutest forms of torture that the wit of man has devised. Yet successive generations of teachers and students have borne this trial with a patience and forbearance which have won my unfeigned admiration. I, therefore, as one who for nearly 30 years has suffered with them, vowed that if ever I stood in the position which I now occupy my address would have at least one virtue that it would be as brief as possible. It will, I can claim have also another which in all forms of expression whether through speech, writing or art of any kind, is the one essential which can justify it—the virtue of sincerity.

Let me now at once true to my promise proceed without any preamble to my theme. It is this. What does the Osmania University stand for? In the words of the Memorandum which Sir Akbar Hydari submitted to His Exalted Highness in 1917, "We require a new University free from the evils inherent in the present system and calculated to undo its deplorable effects. His Exalted Highness, whose solicitude for the prosperity and well-being of his subjects has been continuously expressed in his earnest interest in the advancement of education in his Dominions, was graciously pleased to approve of the views set forth in this Memorandum and in the Royal Charter, which established the University and linked his name with it for all time, affirmed that his purpose as Founder was "to remove the defects created by the present system of education."

What are these defects? An answer will be found in the first five of the thirteen volumes which contain the report of the Calcutta University Commission. But it is a strain on busy men to read these bulky tomes. Even the later substantial though less ponderous reports of the Hartog Committee, the Lindsay Commission and the Punjab University Enquiry Committee can appeal only to educationists and members of the leisured classes. In less prolix form their substance is contained in the convocation addresses which have in recent years been annually delivered up and down India at 18 Universities. They have all struck the same note—a pathetic wail. I myself was guilty recently of contributing at Agra to the melancholy chorus. But I shall not quote from these depressing pronouncements. For my present purpose I content myself by summing them all up in two blistering extracts, one from the autobiography of a grand old man, Sir Prafulla Chandra Ray, the well-known Bengali Chemist, the other from the editorial columns of an Indian-edited daily newspaper.



This is what Sir P. C. Ray says in a record of his life and experiences dedicated to the youth of India —

"It is necessary that the attention of the country should be clearly drawn to the colossal waste of energy and natural intelligence which we have allowed in the past by our scheme of university education. The two Universities of Calcutta and Madras have become two huge factories for mass production of graduates. This inordinate insane craze—almost a mania—for securing a degree has been working infinite mischief, it has become almost a canker eating into the very vitals of intellectual life and progress. A serious drawback incidental to, and, I am afraid, almost inseparable from the present ill-understood and misconceived notions of University training is that the young man thus turned out betrays, as a rule, lamentable lack of initiative, resourcefulness and pluck when he is thrown upon the world and has to fight his way through it. While there is a gain in quantity, there is a corresponding deterioration in quality. The average graduate knows little and cares to know less beyond the irreducible minimum required for passing the examination."

Now listen to the thunder of the Indian nationalist press —

"A young man undergoes the ordeal of a university course because some inscrutable ruler has decreed that he may not obtain a salaried post without it. gets rid in the examination room of what he has had crammed into him in the lecture room. takes his degree, enters, if he is lucky some profession, thinks no more of any study, cultivates no hobby, and, when the time of retirement comes, quickly collapses and dies having nothing else to live for."

Who can say that on the whole these are overdrawn pictures? But let us be done with wailing. Let us admit the defects. Our purpose in the Osmania University is to remove them.

The first mark which should distinguish the University man from other educated men is that he must do his own thinking. He must have developed the mental habit of probing into catchwords and fine phrases and of testing opinions before he accepts them from the editorial columns of the press or from the assertions of others. In a word he must be mentally alive. University education is not simply making available to students the knowledge that has been accumulated by past ages. The world can do without learned men. But it cannot do without wise men. Wisdom is born of learning and understanding. The root cause of the defects of university education in India is that students fail to understand what they learn. They accumulate knowledge, but this knowledge does not become active thought. It is something passive—dead, inert matter, tied up in parcels of notes which are pitched into students' minds as if they were baskets to be filled. This is the only method of imparting knowledge that can be adopted for the majority of Indian students when they are taught through the medium of a foreign language whose intricacies prevent them from using it as a vehicle of thought. The student is compelled for examination purposes to memorise what he fails to understand. It is unnatural that instruction should be imparted through a language which is neither that of the teachers nor of the taught. Ideas are distorted, originality of thought is hampered and energy and time are wasted. These were the reasons that led to the adoption of Urdu as the medium of instruction in the Osmania University.

I must confess that before I came to Hyderabad, I was one of those educationists who while whole-heartedly agreeing in theory that instruction should be through the medium of the Indian languages doubted whether in practice this was possible anywhere above the high school stage. My experience at the Osmania University has completely banished my doubts. In order to satisfy myself in the matter I have broken with tradition and have trespassed into class rooms, where I have listened to lectures on a variety of subjects. I here acknowledge the goodwill with which teachers and students have welcomed me. I am grateful to them for the pleasure and profit which I have derived from my visitations. I was satisfied from personal investigation that all students at the Osmania University can read, write and speak Urdu with ease and correctness and with much more facility than students elsewhere can use English. I found also that students whose mother tongue is not Urdu, even those who are studying in Science classes, in which Urdu phraseology might be expected to present some difficulty, were attaining a high standard of achievement as judged by their place in university merit lists. My personal observations have convinced me also that the Osmania University

students in general are much more responsive to the lecturers, more mentally alive and more interested in the work in hand than students in the classrooms of Northern India where English is the medium of instruction. Thus I have verified from knowledge gained at first hand what the advocates of instruction through the medium of the Indian languages have urged, that free interaction between the minds of teachers and students is possible only where the vehicle of thought is a language with which both are thoroughly familiar. What impressed me particularly was the flexibility of Urdu. I have seen advanced instruction being carried on in a variety of subjects through the medium of Urdu. It was clear that Urdu was capable of being used by both teachers and students as a medium for the expression of ideas in any subject, literary or scientific. There can be no doubt therefore that the language policy adopted by the Osmania University is a success if measured by its main purpose, which is to set thought free in the classrooms from the cramping and stifling effects of instruction through the medium of English. That there are difficulties in the way of the adoption of Urdu as the medium of instruction at the University stage must be admitted. One is the possible deterioration in English. At the Osmania University we are therefore improving the teaching of English by strengthening the English staff, by adopting tutorial methods of teaching and by encouraging students by means of debates and other informal methods to acquire facility in using English. A further difficulty is the production of textbooks to meet the needs of all departments of study. We have great hopes that these needs will be fully met as a result of the reorganisation of the Translation Bureau that has recently been undertaken.

There are other conditions essential for the building up of an ideal University. The first of these is a careful selection of students. But whatever limitations are imposed should be only such as can be justified on educational grounds. In every institution there must be a limit to the number that can be efficiently taught with the human agency and material facilities available for instruction. The essence of true university life is to be found in human contacts. Its value is in the training which students receive from the personal influence of the staff and through activities in university societies, in the hostels and on the playing fields. The University must therefore not be so crowded that the creation of a healthy and active intellectual and communal life is impossible. Another limitation must be imposed by the qualifications of students. The Osmania University is not intended to be a factory for the mass production of mediocreities. It is a centre for training the best intellects of the Dominions to exercise intelligence and original thought in the interests of the State. We must therefore see to it that our resources are not wasted on material which is not responsive to university training. But, provided the admission test is stringent enough to exclude the unfit and staff and accommodation are sufficient to ensure individual contacts and efficient teaching, admissions to the University should not be restricted by arbitrary rules.

We must, however, remember that the process of elimination involves an obligation. Many students who are not qualified by literary or scientific attainments for admission to the University yet possess other aptitudes, of a no less valuable kind, which, if developed by a suitable system of education, will equip them for occupying positions of leadership in the industrial, commercial and agricultural life of the country. At present our schools and colleges are all cast in one mould giving a literary education which can lead only to more literary education. Our whole system should therefore be overhauled in order to provide for all students full opportunities to enable them to make the best of the gifts with which Nature has endowed them. Boys who combine manual skill and physical fitness with courage, initiative and self-reliance are as useful to the State as those who have literary gifts. Our educational system is seriously defective because it fails to provide for such students training which will help them to make the most of their lives as citizens of the future. The problem of reorganisation is not an easy one. Variety of training is expensive and is more difficult than mass production according to a uniform pattern. But the Government of His Exalted Highness have seriously taken up the question of reconstructing the system of secondary education. Here as elsewhere in India the conclusion has been reached that it is impossible to reform the system of University education in isolation from the previous conditions which determine its foundations.

The diversion to industrial, commercial and other practical pursuits of those who are not qualified for higher literary and scientific studies will not mean, as I have already emphasised, restriction of university education to a select few. That there

will be in time sufficient material in the State to fill adequately even the spacious buildings rising at Adikmet I have not the least doubt. It is my considered opinion, based on intimate first hand knowledge, that there is no better human material in all India than in the young men of this State. I say this not to please a Hyderabad audience but because it is the most encouraging of the many pleasant discoveries which I have made since I came here.

In its physical conditions also the University is fortunate. A knowledge of these is confined at present to professors and students. The citizen of Hyderabad, accustomed to concrete road surfaces, hesitates to take the somewhat rough journey to Adikmet. But the visit is well worth the risk. The University site of over 1500 acres is an ideal one, in fine open country occupying a commanding position at a height of 1725 feet above sea level. The late Professor Sir Patrick Geddes, the well known town planning expert, who chose the site, said that it was for university purposes unsurpassed in his experience. The building scheme provides for the erection of Hostels, Senate Hall, Arts College, separate blocks for the Departments of Physics, Chemistry, Biology, education and Engineering, a Women's College, Students Union, Stadium, Gymnasium and Library. Ultimately we hope to make provision also for Agriculture Forestry and Medicine. In boldness of conception and vision, architectural and academic, the scheme fires the imagination, it provides facilities for the training of mind and body unequalled in India and, I believe, unsurpassed in any country in the world.

I have often sat alone on a rock at Adikmet and pictured the University city as I hope it will be in the years to come. But

"When I dipt into the future, far as  
human eye could see,  
Saw the vision of the world and all the  
wonder that would be,"

my mind also went back 2000 years to another city set on a hill, the imperial city of Rome. Why was it, I asked myself, that the inhabitants of that small city became so great and irresistible? Wealth, power and dominion were theirs. But I reflected how these were the results not the causes of their greatness. Men, not stones or walls, make a city great. What made the Romans masters of the world was not the material splendour of their city but the men they were. True greatness of any community is not a matter of size or possessions. It lies in the quality of its men and women, in their devotion to these and in the persistent efforts which they make to realise them. If the life of the people is keen, purposeful and public spirited, the community is great however small it may seem to be. But if it is selfish, lazy and thoughtless, it is rotten at the core whatever its outward show may be. This is the tragic lesson of Rome—a race of heroes brought to ruin and degradation by idleness and self-indulgence which sapped their manhood, obliterated their sense of duty and robbed them of their self-respect.

"What kind of city do you think endures" asks Whitman, and in his rough-hewn verse, goes on to answer

"The place where a great city stands is not the place of stretch'd wharves,  
docks, manufactures, deposits of produce merely,  
"Nor the place of the tallest and oosthest buildings or shops selling goods from  
the rest of the earth,  
"Nor the place of the most numerous population.  
"A great city is that which has the greatest men and women,  
If it be a few ragged but it is still the greatest city in the world."  
"Where no monuments exist to heroes but in the common words and deeds,"  
"There the great city stands."

Thus the poet tells us what history teaches, that the greatness of a city is in the quality of its inhabitants. It is therefore vital for us to consider what should be the nature of the training which we are to give to the citizens of Osmania. What should be the distinctive features of this training? I need hardly emphasise again that the purpose of a University on its intellectual side is to impart culture, that culture is not simply knowledge but is activity of mind, that knowledge becomes active thought only when it is tested, put to use and related to the stream of perceptions, hopes, feelings and desires that form our life, and that therefore the central problem for teachers is how to keep the minds of students active, alert and responsive to stimulus. It follows that number of mass lectures should be reduced,

that tutorial teaching in seminar classes should be a feature of the work in all departments of study and that dictated notes should be abolished. These changes in teaching methods will involve more strenuous and exacting work from the staff. Fortunately we have at the Osmania University a body of teachers who are not only as highly qualified, taken as a whole, as the teachers at any University in India, but also have to a degree unsurpassed anywhere youth, energy and earnest devotion to the highest ideals of their profession I owe them a debt which I cannot adequately repay I came amongst them a stranger and I have experienced from them kindness and co-operation revealed in a spirit of loyalty which more than anything else makes me an optimist regarding the future of the University

But the intellectual life of the University is not the only feature which it must be our ambition to develop It is possible to lay too much stress on class room work I have, indeed considerable sympathy with the cynic who said that the only education that was of value to him in later life was that remained after he had forgotten what he had been taught at the University When the time comes for us to leave our work, whatever it may be, to younger men, I think what will give us most happiness in retrospect will not be the knowledge we have accumulated, the success of our schemes, our victories in the strife of official or business life, or even the honours we have gained, but the memories of the friendships which we have made Youth, the age of zest and generous enthusiasms, is the time when students can receive from University life the great gift of companionship The friendships into which the companionship of youth blossoms are lasting because they grow not from a common interest of pleasure only but of work done and of a life lived together with a purpose Its essence is the delight of sharing common tasks and aspirations In such unselfish comradeship lies the hope of a saner and cleaner social ideal in the wider community into which students enter when they leave the University

One of the means by which the comradeship of university days can be strengthened through the sense of work done with a common purpose is the Graduates Association The Association can exercise a healthy influence on the University by the encouragement which it gives to developments that promise to bring about better work or a fuller life in the University But the chief value of the Association will be in the extent to which it can influence the life of the community by standing forth as witness to the principles of right and truth which the University aims at contributing towards the formation of that common social purpose that we call public opinion The greatest hope of the State is in these young men and in the spirit in which by their efforts failures, disappointments and efforts still renewed with passionate determination, they press on the work of building the ideal community for which we long

The University must send them forth with the cheerful spirit of happy warriors, not as men prematurely old Our University life must therefore keep students young Soon enough they will have to face anxieties and carry burdens that will make them dull and grave Their university days should be a time of happiness and cheerfulness when they find joy in the health of body that makes mere living a delight Thus exercise and games are as necessary to them as meat and drink These have also a moral value All of us are born with an impulse to conflict If this instinct does not find an outlet in games it will break out in disputes, quarrels, or useless violence of feelings, thought or action Other healthy means for giving a safe outlet to man's contentious instincts are in Union debates and a University Training Corps, which we should, as Nawab Mahdi Yar Jung advocated last year, establish as soon as possible

All these activities will, we hope, help to develop at the University discipline of the right kind That ominous word grates on students' ears. But I want them to think of discipline not as external restraint or even as internal grace, not as something negative and passive but as something positive and active Discipline of the right kind reveals itself in free activity of the body and mind, in keen interests of many kinds, in the desire for knowledge and the power to use it, in the delight of achievement, in comradeship and mutual helpfulness It need not be imposed from without but should come from within as the outcome of the growing social purpose of our corporate life The essence of discipline of this kind is the spirit of service, that does not let us live only for ourselves and our own pleasures but makes us keen to give rather than to get, the spirit, that builds up traditions which will help to give the best of life to those who follow us.

This is my dream of the Osmania University, a community visibly living ideals of work, comradeship, health and willing service. We must always remember also what its name connotes, that it is the personal foundation of His Exalted Highness Mir Osman Ali Khan, established by him in order to secure the prosperity and well-being of his subjects. Let us, therefore, each one of us by strenuous work and by devoted loyalty to the ruler make it a worthy expression of his gracious concern for the welfare of his people. We may not in our time see it perfect and entire as the city of our dreams. But what matters more than the outward attainment of success is the spirit that strives to achieve it. Of our ideal university city are true the words spoken many years ago by one of the wisest of men concerning the ideal city that he planned. When asked whether there could be such a city existing anywhere on earth, his answer was: 'Whether there is now or ever will be such an one complete on earth matters not to him who desires to see it, for he will live his life according to its laws and no other.'

My final word is to express on behalf of all friends of the University our good wishes to you the graduates of to-day. Our earnest wish is that you will carry with you to the larger world outside the ideals of the University, becoming wherever life may lead you centres of active and unselfish service. These ideals what we wish you to be, matter more to you in life than cleverness, popularity or power. They are life itself. For life is not merely the daily round of eating and sleeping, as some see it who

'Gather and squander are raised  
Aloft and hurled in the dust,  
Striving blindly achieving  
Nothing, and then they die—  
Perish! and no one asks  
Who or what they have been,

'Life is more than breath and the quick round of blood,  
It is a great spirit and a busy heart—  
We live in deeds, not years, in thoughts not breaths,  
In feelings, not in figures on a dial  
We should count time by heart-throbs. He most lives  
Who thinks most, feels the noblest, acts the best.'

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# The All India Educational Conference

Eleventh Session—Nagpur—27th to 30th December 1935

The eleventh session of the All India Educational Conference opened at Nagpur on the 27th December 1935. It was inaugurated by the Right Honble V. S. Srinivasa Sastry who, owing to ill health, could not make a speech on the occasion. About 650 delegates from various parts of India attended the Conference. The following is from the speech of Mr. M. B. Nayagi, M.A. LL.M., Chairman, Reception Committee—

As Chairman of the Reception Committee it is my pleasant duty to accord you a most cordial welcome at the inception of the labours for which you have come from far and near and gathered here to-day.

The most urgent need of the hour is to determine the goal and define the policy. As a result of the drift there is immense waste of effort and talent. We may well follow the lead given by other countries who had, after the Great War, to readjust their education to their respective ideals. I would particularly recommend the example of Japan an oriental country which was placed in an exactly the same position as India was. In 1868 the great emperor Meiji announced "Seek knowledge widely from the world and determine affairs of the state according to general opinion." In 1926 when His Majesty Hirohito succeeded to the throne he issued a revised edict in these terms "Refrain from variety and imitation and strive for solid character and originality. The examples of Japan can well be copied by the other Asiatic countries particularly India. Life in India emerged from its medieval inertness and has, during the last 50 years, become responsive as well as responsive to the stimulating currents of modern life and is now seeking an outlet in creative expression. We have sought not only knowledge but goods from the world and are now going to determine our affairs of state according to public opinion. The next step in our educational movement is to organise our educational system in such a way that the rising generation may not only cease to be mere 'consumers' but also become 'producers' in the realms of intellectual, aesthetic and utilitarian achievements.

I have no doubt that the ministers on whom will devolve the task of directing education under the new constitution will announce their policy. In my own province I am proud to say that the Department of Education has been progressive. It has already gone a long way in introducing the vernacular medium in the secondary schools and in formulating its curriculum even in the Primary Schools, in such a way as to give a distinct vocational and technical bias to the pupils in their early age. The cardinal problem of how to divert the course of education into practical and useful channels so as to give the rising generation a real training in the art of life will demand solution in the near future.

We are singularly fortunate in having secured the leadership of such an eminent educationist as Mr. Shyama Prasad Mukherjee. He presents the rare instance of transmission of virtues from sire to son. He has faithfully followed in the footsteps of his great father, Sir Ashutosh Mukherjee, whose life-long services in the cause of education have placed the country under an eternal debt of gratitude. It is rightly said that a sound head, honest heart and an humble spirit are the three best guides through time and to eternity.

## PRESIDENTIAL ADDRESS

In the course of his presidential address Mr. Shyama Prasad Mukherjee, Vice-Chancellor, Calcutta University said—

"Suggestions are now and again put forth to limit admissions to Universities, either directly or indirectly, mainly with a view to alleviating the increasingly distressful problem of unemployment. While, as I have said, it is the duty of the State and people to explore new avenues which could absorb our trained young men, I must affirm that it is a retrograde measure to seek to solve the problem by reducing the number of educated men.

Let us not follow the path of destruction so easy of access until the materials for reconstruction and expansion are generously made available to us. No far-reaching reforms, aimed at increased facilities for education, which will be varied in character, will ever be accomplished without larger financial assistance from the State. The Central Government recently distributed to the provinces a crore of rupees

for rural reconstruction. For that it has earned the gratitude of the people of India. The same Government has just inaugurated a Central Advisory Board of Education for India, it rightly regards education not merely as a provincial concern but also as a national problem of supreme importance. Let us put forward a united demand that Government should set apart at least a crore of rupees annually for several years in succession for distribution among the provinces, in proportion to what they themselves may raise, to be spent for the improvement of primary and secondary education, principally the latter in relation to the problem of unemployment.

Continuing Mr Mookerjee said, "In India, education has recently been receiving close attention at the hands of people belonging to diverse schools of thought, and we are confronted to-day with a long catalogue of criticisms, suggestions for reform and reconstruction, almost bewildering in character. This situation is capable of logical explanation. Valuable as education is at all times in the history of every civilised nation, to us, Indians, it is of paramount importance at the present juncture. Differences there exist as to the means which should be adopted for the realisation of India's political rights, but there is complete unanimity of opinion that no real and permanent advancement is possible unless education of the right type spreads far and wide till it saturates the teeming millions of this vast sub-continent. I believe it is this aspect of our future national growth that has inspired many though not all, of the recent reports and utterances on education.

One of the criticisms with which we have grown familiar is that education in India has been a complete failure. I have no desire to under-estimate the evils inherent in the present system, but I believe there has sometimes been a definite tendency to overstate the case. It would be idle for us to ignore the fact that, but for the education which we and our forefathers have received, we could not have made the progress achieved by us in different fields of thought and activity. There can be no question that Western education has brought us into closer contact with the culture and civilization of progressive countries other than ours. There can be no question that it has laid the foundations of an Indian nationhood, it has helped to awaken our national consciousness, to broaden our intellectual horizon and to kindle in us dreams of a better and a mightier India which we all long to see realised. It has taught us self respect and has inspired us with a sense of equality and fearlessness prompting us to stand up as men, demanding justice and fairplay. We need not feel unduly nervous if it has helped to disturb the placid contentment of our people or if it has shaken accepted beliefs and dogmas, for it is only through such unsettlement that the right path of future reconstruction can be discovered.

"I am not suggesting for a moment that everything that our educational system has to offer is good, or that all products of Western education are animated by the spirit of service, culture and patriotism. This system has undoubtedly its weak points and a change in its outlook and objective is imperative. But let us not minimise much less forget the great contributions it has made.

"One of its gravest defects is to be traced to historical reasons. The growth of Universities in India marked a definite stage in the progress of Indian education. But University education was introduced primarily for running the administration of a bureaucratic Government. Government stood in need of central organisations which could test the capacity of the students, educated in schools and colleges, on the basis of public examinations and the Universities were brought into existence. They were not meant at the first stage to be seats of culture and learning, nor were they intended to foster higher teaching and research or to train leaders of a democratic community.

"More than seventy-five years have come and gone, universities have undergone vital changes and do not to-day exist only for conducting examinations. They have adopted other ideals more appropriate to their true functions and are trying to discharge their obligations with varying degrees of success and efficiency. But a machine-like spirit still persists and continues to deprive these institutions of their full share of life, faith and vigour without which they cannot contribute to national wealth and welfare.

"English was deliberately chosen as the medium of instruction and examination to the deplorable neglect of the vernacular languages. Indigenous institutions suffered decay and existed merely as shadows of a by-gone past. It was apparently thought that a new race of Indians would gradually grow up who would become influenced by the culture and civilisation of their rulers, and out of feelings of loyalty and gratitude would be the strongest champions of British interests in India. I need not

enter into the details of this aspect of the history of Indian education. That our vernaculars should be developed and given their rightful place in any scheme of national education is now widely recognised. We cannot at the same time forget that our economic and political progress and cultural advance are closely bound up with Western science and literature through the medium of Western languages specially English. A reconciliation between these two points of view is possible and must be found for the sake of our future national growth.

"There is another matter which deserves notice. Primary education was neglected until recently and that in a manner which gave rise to widespread resentment. It was thought at one stage that higher education, if extensively given, would itself become an instrument for the spread of primary education among the masses. This hope has not materialised to any satisfactory extent. It is now recognised that the spread of free and compulsory elementary education is one of the pressing needs of the day and, in many provinces, ways and means are being discussed for giving effect to this idea."

"Lack of funds is usually advanced as the reason for the delay in fulfilling this sacred obligation which rests on Government. But we refuse to believe that money cannot be found if there is a will to find it. I voice your united demand when I say that there should be no further delay on the part of Government to remove this stigma which has attached itself to its administration, namely, that after more than 150 years of British rule in India only about 9 per cent. of her people enjoy the benefits of literacy."

"I would here refer to one line of criticism which is often adopted in certain quarters. It is said that we should spend more on primary education by depriving other branches of education of the financial assistance derived from the State. The question is whether we are spending such colossal sums on secondary and higher education that they will without loss of efficiency permit of reduction. The answer here is definitely in the negative. State-help for education in India is meagre compared with that in other progressive countries. It is also out of proportion to the contributions made by private non-official agencies in India. We should deprecate any attempt to create a division among the different branches of education."

"If we are to advance as a nation, we must meet the legitimate demands of all stages, for it is only thus that we may hope to build a complete edifice, a temple of learning with a foundation deep rooted, a base broad and strong, and a crown of glory reflecting India's highest culture and civilization."

"Another defect which has received its due share of criticism in recent times is the disproportionate attention paid to literary education. It is now recognised that our students must be given ample opportunities for following varied lines of study, theoretical and practical, devised in accordance with our needs and resources. One of the problems now engaging the attention of educational authorities, official and non-official, is the establishment of institutions which may provide for training in diverse branches of practical skill and knowledge. This reform is urgently called for in order to meet the question of middle-class unemployment. It will, however, be a mistake to take an exclusive view of vocational or technical education."

"We must devise means of shaping our policy in such a way as not to neglect the supreme value of a sound liberal education and for the spread of technical knowledge. While emphasis may be laid on one or the other in accordance with the aptitudes and requirements of different classes of students we must not encourage one aspect to the detriment of any other."

"It is important for us to bear in mind that a mere supply of trained youths, qualified in various scientific or technical pursuits, will not solve the question of unemployment. Opportunities must be created for absorbing the services of such young men, who must also be encouraged to take to trade, commerce and industry. There must be a closer association between the State and the educational authorities on the one hand, and representatives of capitalists of trade, industry and commerce on the other. The State must also pursue a policy of a fairer and more equitable economic distribution and strive for the utilisation of India's vast natural resources in the interests of the people of this land. Neither can our aspirations be ever satisfied unless we succeed in breaking through the barriers which at present restrict our entrance to certain careers, such as the army and the navy, which absorb not a small percentage of the youths of other civilized countries."

"Suggestions are now and again put forth to limit admission to Universities, either directly or indirectly, mainly with a view to alleviating the increasingly distressful problem of unemployment. Educational institutions must not regard themselves as



factories for the production of clerks and subordinate officers but they have also to supply the country with the leadership and skill in different branches of activity, economic, commercial and industrial, municipal, provincial and national India stands in urgent need of University men, animated with the ideals of service, imagination, course, catholicity of outlook and realisation of nature.

"There can be no question of reducing the existing educational facilities on the plea that re-orientation of education is vitally necessary. We do not believe that the present number of schools and colleges is too large for the requirements of the country. Those who urge their reduction on the ground that the education imparted by them is defective, must, in the first instance, secure the foundation of a sufficient number of institutions where the right type of training will be provided for the children of the soil. The schools and colleges of to-day may be enabled to adapt themselves gradually to the altered demands of the educational reformers. The situation becomes extremely dangerous when a reduction in their number is advocated on the plea of educational reform. Let us not follow the path of destruction so easy of access until the materials for reconstruction and expansion are generously made available to us.

"Let me turn for a moment to the intricate problem of education of girls. One of the noteworthy features in recent times has been the rapid growth of female education. Our responsibility in this sphere becomes all the greater because it is left mostly to us, men, to discover the best methods of educating the future mothers of our race. We must not perpetuate the blunder of training them under the same system as governs the education of our boys. In these days of female emancipation I do not urge that women should not be treated with equality, but it must be recognised that however insistent their demand for equal treatment may be there are certain differences which cannot with any effort be obliterated. Our ideals should be, generally speaking, to give our women an education which will make them the main spring of spiritual force in our society.

They must be rendered fully qualified for discharging those sacred obligations which constitute the hermitage of Indian womanhood. From them will radiate the great virtues of strength, of purity and devotion, of truth, joy and beauty, of patience under suffering reminiscent of the glorious past of India, which will constitute an irresistible force in the future development of our mind and character. From this it does not follow that we should discourage women who may enjoy special aptitudes from following particular branches of knowledge or professions, now mostly the prerogative of men. It is, however, essential for us to remember that if our society is to be held together and not be broken to pieces, Indian women must be so educated as to enable them to take their rightful place in family and social life, peculiar to the traditions of this country, which with the suitable improvements must in their fundamental features be worthily maintained in future.

In conclusion be said --

"Let us all be true to our salt, and let us so strive and so act in the sight of all men that if we fall future generations might at all events love us and bless us as brave loyal souls that fought for the right. If we believe that culture is the essence of the best that man, toiling through the ages like "an infant crying for the light which no language but a cry has felt and said and done, if we believe that culture is the summation and harmony of things as they should be, that it is the divinely appointed principle of Evolution for ever dynamic, growing from more to more, that it ministers, unites, elevates and saves, if thus strong and radiant be our faith, it is still possible that we shall be able to get the better of communalism. And we shall do so, if we resolve to honour men according to their quality and character regardless of the sect or camp they come from and to stamp our mintmark on great thoughts and deeds as such, uninfluenced by the colour and creed of the thinker and doer, communalism, chaosm, catanism are but cultural nullities--from them come only reckless growths and perverted performances. May we be endowed with strength and courage to regard ourselves, however humble and unworthy, as soldiers in the Great War of Liberation of Humanity, marching proudly for the Promised Land of the Swaraj of the intellect, the mental emancipation of man."

### Resolutions

The following resolutions were adopted by the Conference --

That this Conference is definitely of opinion that secondary school education should be divided into well defined stage, complete in themselves, and should have arrange-

ments for diversified courses which will equip the pupil, along with a cultural education, to meet the requirements of modern industry and commerce.

While welcoming the recent pronouncements of the Central Board of Education on this subject

(a) This Conference draws the attention of the Central and Provincial Governments to the need of safeguarding adequately the scope and extent of liberal education of the youth in this country under the proposed reconstruction scheme

(b) This Conference disapproves of the proposals to have separate secondary school and special examinations for recruitment to the various subordinate services.

(c) In order to ensure that the necessary expert advice may be available in the matter of vocational training and guidance, for the proposed diversified courses in the secondary schools, this Conference recommends that selected Indians closely connected with educational work in this country, and possessing high educational qualifications be sent abroad for additional training if necessary

(2) In view of the great urgency and importance of adult education in India, and the necessity of co-ordinating the activities of the different provinces and States in this direction, it is resolved that an All-India Adult Education League be formed under the auspices of All India Federation of Educational Associations with headquarters in Calcutta or any other suitable centre and that a provisional Committee be constituted with powers to co-opt and with the Secretary of the section and the mover as the joint conveners for drafting the rules and taking the necessary steps

The Conference appealed to the Government of India and the States and philanthropists for the immediate establishment of an Institute of Education and Psychological Research on an All-India basis. It was opined that education in all its stages should be an effort to teach inter-caste, intercommunal and inter-racial unity among the students and pupils, and the Conference also appointed a Committee to investigate into the possibility of adopting a common language and script for the country

The Conference adopted a resolution favouring the idea of the celebration of Education Week throughout the country with a view to acquainting the public with the work and the needs of educational institutions. Another resolution passed at the Conference requested the Government to provide for a liberal supply of wireless sets to educational institutions.

By another resolution the Conference wanted handicrafts to form an integral part of all education at the primary and secondary stages

## The Indian Philosophical Congress

Eleventh Session—Calcutta—19th to 21st December 1935

In the presence of a large number of distinguished visitors and delegates from almost all parts of India, the eleventh session of the Indian Philosophical Congress commenced its sitting on the 19th December 1935 at the Senate Hall of the Calcutta University. The *Rev Dr A G Hogg*, Principal of the Madras Christian College, presided.

### WELCOME ADDRESS

In welcoming the delegates *Dr W S Urquhart*, Chairman of the Reception Committee, recalled the fact that ten years and more had elapsed since this Congress had its inception in this very city. "To some philosophy may seem to have fallen on evil days", observed *Dr Urquhart*, "and in this practical age to have become unpopular because it is impractical. But it seems to me that we have little reason to be pessimistic, and that there is perhaps more need to-day of the philosopher than there ever has been before. It is when things are in a state of flux that there is the greater need of the assertion of underlying principles. It is when the barriers that divide the nations are breaking down in the sense that at least their reasonableness is being questioned, that there is the greater necessity for discovering a new method of co-operation and a new basis for unification."

"The relationship between the one and the many, which is supposed to be the fundamental philosophical problem, is not without its application to current politics in

these days when the future of democracy is a matter of doubtfulness and the desire for dictatorship is a world-wide tendency, if not a world wide peril!

"And such a tendency raises again the philosophical questions of the basis of authority and the possible freedom of the individual in relation to the claims of society. There can be no security for the future of society without much sane thinking on these controversial topics, and in a Congress such as this it may perhaps be claimed, without risk of being accused of over-weening self-confidence that philosophers are sometimes sane.

"Even the much discussed question of the relation of vocational and general education is capable of philosophical treatment, for is it not a question of how the fundamental capacities of human nature are to be directed into special expression within particular environment? Even the tragically serious question of unemployment is ultimately one of the application of the idea of the concrete universal or of the principle that the importance of every part of the whole must be recognised, and that all individuals must be granted their right to participate in the purpose of the whole.

"The insistence upon the abstract universal in philosophy has its practical counterpart in an attitude of indifference to the claims and opportunities of certain sections of society and similarly it is possible that a remedy for the economic diseases might be suggested by the consideration of an age-long philosophical attitude

#### OPENING ADDRESS

In opening the Congress, Sir *Manmathanath Mukherjee*, Acting Chief Justice of Bengal, thought that philosophical thinking was not one profession alongside of others, necessitating as it did, some peculiar equipments and entailing some peculiar disciplines, out of the reach of all and sundry. On the contrary, it had a universality of appeal which made it out to be the most humanistic of all intellectual pursuits. "A philosopher is he," said Sir Manmatha, "who is accustomed by training and temperament to see life steadily and see it whole. But fallen as we are on evil days of specialisation, we have come to lose this art—the art of taking a whole view of things and men."

Sir Manmatha paid a tribute to Dr Hogg, the general President of the Congress. Dr Hogg, he hoped would bring to bear on the deliberations of this session of the Congress, the mellowed fruits of scholarship as well as piety.

Proceeding Sir Manmatha observed that they were painfully conscious of the fact that they were the unworthy legacies of the cultural inheritance of Bengal and they in deep humiliation offered their legacy to the distinguished assemblage along with the no less noteworthy contributions of contemporary Bengal.

Concluding, Sir Manmatha said, "For the distracted world of to day, the philosophers, particularly the orientals, have got an important contribution to make. The East may be a negligible partner in the Geographical dispensation of the League of Nations, but not so as we believe, on the spiritual side of it. The star has always risen in the East and "eastern lights, to use the happy phrase of one of our leading thinkers, are being hailed from unexpected quarters."

As representing the Western point of view, Dr Tung has truly remarked "It is the East that has taught another wide, more profound and a higher understanding through life." Truly, in the East, philosophy has never served as an intellectual pastime merely, but always in its classical sense of a Way of Life—life being in ultimate analysis the only effective commentary upon the theory.

Such an outlook upon life may not commend itself to all. But it is there, as a silent preacher in the background, and greets us across the perspective of centuries. Therein consists the individuality of Indian thought and culture, and at this thought-exchange of the world it would be courting sheer bankruptcy if we were to undervalue our own thought-currency in order to secure an international credit."

#### PRESIDENTIAL ADDRESS

In his presidential address the Rev Dr A G Hogg referred to the rightful claim which society had upon the metaphysically minded. In many of the Indian Universities, he said philosophy had fallen upon evil days. Her class-rooms were all but deserted, her professional exponents were few, and the public lip-homage still paid to her did not prove its sincerity, in any notable degree, by sacrifices made for her sake.

Now, if society was treating philosophy so scornfully, was it possible that the fault might lie partly with her own devotees? Had they perhaps been failing to honour the claim which society rightly had upon them? Had the severely technical issues

which were an inevitable bye product of the main philosophical undertaking drawn them away too much from the deeply human enterprise itself? If for such self-questioning there was even a vestige of justification, it might be well to spend an hour in considering what social function the public might rightly expect to be fulfilled by those who had the gift and the leisure for metaphysical thought.

"I believe," he continued, "that no matter how ambitious the ultimate aim may be which philosophic thought must set itself, its typical contribution to the common good is to render a service that is modest and even prosaic. Its permanently valuable achievements are apt to be critical rather than constructive. Like the homely household commodity, salt, it is an ingredient of the community's intellectual dish which is quite indispensable, but which is not too palatable by itself, and of which it is not easy to have too much.

"Woe be it to any community that consisted exclusively of philosophers, and yet woe would be equally certain to befall society if it included none of the metaphysically-minded. Especially would this be the case if it were a modern society of the progressive type. For mankind has made, once for all, the discovery that rapid advance in the conquest of nature is possible only by an extensive development of what in the industrial field is called division of labour and in the intellectual field specialisation. Now specialisation breeds evil as well as good. And the primary social function of the philosopher is, I believe, to serve as the necessary intellectual counterpoise to the specialist, and to provide a prophylactic against the harm that can be done to the general mind by over specialisation on the part of the leaders of thought.

Continuing, the President said, "Upon the metaphysically-minded of to-day there still lies the sacred obligation of seeking to protect society from the dangers of a new and subtler Materialism by insistently exhibiting the inherent relativity of all mathematical thinking, and therefore of the typical scientific way of attacking the secrets of being. Science can yield valid and amazingly useful formulations of aspects of reality, but it can never even begin to tell us the whole truth about the real.

"How comes it that the desire to apprehend reality in its wholeness makes the philosophical mind alert to detect the unconscious assumptions and uncritical conceptions on which ordinary thinking is so prone to rely? The reason is not far to seek. The very effort to apprehend reality as a whole requires the thinking subject to set over against himself as object of not merely all outer existence but the whole of himself as he knows himself, all his habits of feeling, thought and action. What ordinarily is most immediately his very self becomes in that moment, something other than the thinking subject, something therefore, which it falls to him to criticise and appraise. No longer may any habit of judgment be accepted by him simply because it is familiar for he looks on it now as something merely 'given', something other than himself which is merely there, and is to be acquiesced in only with deliberate responsibility and at his own peril. No longer may any belief be relied on solely because it is socially universal, for at that moment he is alone with the absolute solitary face to face with an 'other' which is absolute, because at that moment all being has been fused into it without any remainder, except the empty thinking subject. To have had that experience even once, with any vividness, leaves a permanent mark on a man's mentality, for it evokes in him an unforgettable realisation of the precariousness of all untested preconceptions.

"Let us, then, discharge with faithfulness this function that is laid upon us by our share, however small or great it be, in the true philosopher's hunger for an apprehension of the real in its wholeness. Society needs that we keep watch and ward against the dangers which lurk in that division of labour and specialisation of study which she finds so indispensable—the danger of mistaking legitimate abstractions for concrete truth, the danger of too confidently depending on the complete trustworthiness of conceptions which have proved their utility in their own proper sphere.

"I do not urge for a moment that we should confine ourselves to this criticism of categories as our sole vocation. The impulse to it has to spring out of our devotion to the pursuit of this. We shall necessarily be led into technical issues in which the general public can take no interest, and into patient study, both sympathetic and critical, of bygone systems of thought. But let us never allow these special studies to render us forgetful of our social function of exposing and opposing the false abstractions, preconceptions and one-sidedness to which the philosophically untrained mind of the general community is inevitably so prone.

"It is not in any single realm of thought alone that we need to exercise this social function. I have referred to the call for alert watchfulness against any tendency on the part of the new Physics to assume the garb of a Philosophy. But even more urgent is it to-day I cannot help thinking that the metaphysically-minded should apply their critical gifts in the realm of Social Philosophy and Ethics.

"There may be exaggeration, but there is certainly no absurdity in the idea that modern Western civilisation is now in the melting pot, and the emergence of Bolshevism, German National Socialism, and Italian Fascism means that mankind is standing at a great parting of the ways.

"There is a call here for radical thinking of the most strenuous kind. Our first duty is to make a far more deep-probing effort than has yet been undertaken to understand these new social phenomena. We must reach a comprehension of the economic and social conditions from which they take their rise.

"We must not let ourselves be blind to the fact that surrender of individual freedom to meet a great social need is itself a form of the exercise of freedom. Also we must not fear to recognise how much of hallowness there is in the kind of freedom that democracy secures in practice for the average man. We need to probe and probe relentlessly exposing what is unsound both in the new and in the old forms of social organisation, but generously acclaiming all that is true and healthy. To do this thoroughly and well is a toilsome and supremely difficult task, but its faithful performance is, I believe, a service which society has to-day an absolute right to expect from the metaphysically-minded."

### Second Day—Calcutta—20th December 1935

The second day's session of the Congress took place to-day. About an hour and a half was devoted to the discussion on the "Future of Democracy." The rest of the time was spent in the delivery of the address by Prof. N G Damsle, President of Logic and Metaphysics section, and by Pandit Vidhusekhar Sastri, President of the Indian Philosophy Section.

Prof. D N Banerjee, of the Dacca University in the course of his speech, said that Democracy means nothing else than the rule of the whole people expressing their sovereign will by their votes. There may be occasional necessities for dictatorship when the safety of the State is at stake. But, the most serious objection against Absolutism is that it produces a most demoralising effect upon the Government. Freedom of thought, freedom of speech would be impossible in such a regime.

Prof. E Sarvagham of the Lucknow University, the second Symposiast, said that democracy is not a mere form of Government. It is a type of state, an order of society and industrial condition as well as the moral and the spiritual principle. What it seeks to do is to reconcile the principle of equality with the fact of natural inequality. It attempts to bring into existence a social machinery which would make for the enrichment and expression of personality. The evils which we see in it are not inevitable. They can be cured by the people themselves by proper education, reflection and experience.

Prof. M Venkatarangya, of the Andhra University, the third Symposiast, said that it is in democracies alone that Government is carried on the basis of discussion, conference, and consultation and these result in power being conferred only on those that probe their capacity to exercise it in the interest of all.

Prof. H. Bhattacharyya of the Asutosh College, Prof. P G Dutta of Monghyr, Prof. Indra Sen of Delhi, Prof. R. N. Kaul of the Allahabad University, Prof. Sarayannarayan Sastri, Head of the Department of Philosophy, Madras University, Professors N C. Mukherjee and N B Banerjee, Dr. D M. Datta of Patna and Mr. Lowndes took part in the discussion.

Rev. Dr. A G Hogg, General President of the Session, in winding up the discussion remarked that good government means self-government. It is to be seriously considered whether the voters who exercise their votes have any passion for some noble end. Merely by giving every one the right of vote will not further the larger interest of humanity if the right to vote in a democratic Government is not exercised for the realisation of some noble cause.

Prof. Vidhusekhar Sastri, President of the Section of Indian Philosophy, read a very interesting address. At the very outset Prof. Sastri entered a strong plea for co-operation between orthodox Sanskrit scholarship. Such co-operation, he thought, might be facilitated by using the Sanskrit language, side by side with the English as a medium of discussion in the Indian Philosophy section of the Philoso-

philosophical Congress, and by urging young orthodox scholars to acquire a working knowledge of English.

Prof. Sastri concluded by pointing out the great popular interest and appeal of Indian Philosophy. "The profound teachings of Philosophy," he said, "filter down to the masses through poems, tales, dramas, stories, legends, architecture etc."

Prof. N. G. Damle, Fergusson College, Poona, President, Logic and Metaphysics Section, in his presidential address of the Logic and Metaphysics Section, delivered a learned speech, criticising various tendencies in modern Philosophy and giving views of his own. Prof. Damle characterised modernism in Philosophy as a "youth movement" with its emphasis on dynamism and progress. The tendency originated in America and is now the characteristic feature of many leading thinkers. This tendency is variously termed as Humanism, Pragmatism etc. It is a revolt against too much intellectualism and abstractionism.

Prof. Damle pointed out that this tendency in philosophy had its merits as it pointed out the evils of over-abstractionism and placing reason far above the other aspects of man e.g. emotional and volitional. But the point was that in laying emphasis on the emotional and volitional side of man, it underestimated reason.

Prof. Damle pointed out that in order that we may take 'time seriously' we must believe in 'timelessness' seriously. The values towards which we are progressing must have an eternal character in them, otherwise they fail to inspire us and become valueless.

The full apprehension of this concrete universal is possible not through reason alone, or through feeling or willing alone, but through the totality of the whole personality of a man which he calls 'intuition'. Intuition is to be understood as not a logical but supra-logical. The highest spiritual unity, the real nature of which can be grasped in an act of intuition, expresses itself eternally in the particulars of our experience.

Dr. Jadamath Sinha, of Meerut College, presided over the Psychology section. The following paper called "A Standardised Group Test of Intelligence in Vernacular" was read by Mr. Shyam Swaroop Jalota of Lahore —

"A battery of nine test elements was selected and given to about 1,500 High School and College students at Lahore (1934-35). This paper reports upon the age and grade norms found in the abovesaid investigation. A table of percentile ratings is given as the same has considerable peculiar advantages in practice. An analysis of the various test-element scores was also carried out, and a separate grade-norms are also given for the convenience of comparative studies by other scholars. Typical illustrations of the materials, tables, diagrams etc. are given.

A paper on the 'Basis of Induction' was read by Mr. S. K. Bose M.A., of Calcutta University. A paper on "Current tendencies on educational theory" was read by Mr. Kamal of Allahabad.

Prof. T. Purushottama of the Andhra University spoke on sex differentiation and its significance to psychology. That sexual attraction between individuals is determined by and subordinated to the end of suitable teaching for reproduction is a view not supported by biological observation, he said.

Morphological and characterological changes both under the influence of the primitive gonad and that of the hormone increments are demonstrated to have wider bearing than subservience to reproductive ends. These processes represent proleptic, or anticipatory developments directed towards the achievement of stable masculine and feminine forms of mentality.

### Third Day—Calcutta—21st December 1935

The third day's session took place to-day, at the Asutosh Hall. First of all there was the Symposium, to-day's subject was "What is real Heaven?" Dr. Mahendra Nath Sircar of the Presidency College, Calcutta, opened the discussion. According to Dr. Sircar —

The conception of heaven originates in us out of the constant press from within to free consciousness from its limits. Philosophy may give us illumined understanding but in this attempt it can never afford to ignore the unconscious prompting of our nature, to enjoy a finer existence, wider knowledge and higher values.

The idea is associated with the question not of unrestricted Existence simply, but of an existence implying worth or value. The world is a vale of tears, and life, therefore, urged by a necessity constrains and constructs an ideal world of Truth and

Values. Heaven appeals to us not merely as an existence but as a delightful existence from which the thorns of life are extinguished, or at least transformed. Whatever it is, it is always associated with a felicitous existence, otherwise it has really no true significance.

Heavenly life is life moving in the creative urge of spirit realising ideal values which are either at the back of creation or emerging out of it. The religious spirit has not gone beyond this and even to-day when science and religion have been meeting each other in the spirit of cordiality, the ancient Platonic Ideal world is being reinstated through Emergent evolution.

A super-sensible world of values, beauty and Truth is associated with the heavenly world. Plato in his "Symposium" introduces us in a fit of philosophic enthusiasm to the perfect vision of beauty "not relative or changing, but eternal and absolute." "It is but an aspect of the divine extending over all things and having no limit of space and time." Plato is not clear if the human soul is absorbed in it or not. That the soul has such a reach of thought and is capable of the eternal nature, seems to imply that she too is eternal. The theory makes heaven purely a transcendent existence, having no touch with the mundane creation though it may be shaping things from above. This dualism of spirit and matter has made Heaven a far off distant event, which can be realised when the touch and domination of matter upon the soul has ceased to exist. Plato conceives a basic psyche conditioning the whole process of the universe.

Plotinus's conception of the Divine Hypostasis leads us through the successive emergence of the concrete phases of life from the one or the good. Plotinus exhorts us to reverse our personalities as 'temples of Gods', for in every individual person the three divine principles are present. And under favourable circumstances, our minds are irradiated by its effulgence. Plotinus sees the deliverance of man in the centripetal movements, where the psyche becomes free from the touch of matter and divided life and becomes one with the one.

Plotinus sees the height of our realisation in the deliverance of the soul from the revolving outer circle of the universal soul and its installation in the motionless calm of the Intelligence and still better in the effulgent one. In the grades of Ascension Plotinus mentions ecstasy as the highest state of existence. He calls it the Banquet of the Gods—the life of absolute faith and pure enthusiasm, inspired by the draughts of the bluish Hippocrene. The soul in so far as it tastes the transcendent beatitude is indistinguishable from it. The Platonic inspiration was worked out in its logical sequence in Plotinus.

Bergson breaks away from the Platonic tradition and sees the heavenly beatitude more in the creative flow of life than in anything transcendental or statical. Bergson is inspired by the central principle of Christianity—resurrection and continuity of life, and he gets rid of the vexed question of the sensible and the supersensible existences and discovers behind them the ever flowing creative life. The ideal and the real world are equally encompassed by it.

Bergson's vision does not extend beyond the spiritual life in its earthly manifestation—for life and love in his conception work under an opposition. The need of a constant opposition to keep up the vigour of the creative urge lacks in the higher harmony of life. Bergson could not transcend the dualism for that would be surrendering the secret to creative evolution and expression.

Bergson could ascend to the dazzling height of the mystics, but he could not see the value of the timelessness of the mystical consciousness. He is attracted to the mystical life because it releases and reinforces the original "élan vital" to intensive creation, because it allows him more living power to will to successfully overcome opposition for greater and better creation. Bergson's final vision therefore cannot get beyond the creative appeal and the vital expression of spirit through creation.

And he could not see the perfect harmony residing in the heart of things. There is a finer rhythm in life than creative harmony. Creative harmony prevails when the initial effort has been successful to mould, formulate and assimilate the obstructing element. It is the play of the psyche and the eros. It is the play of Prana and Rayee related in the Upanishads. But the spiritual expression where it experiences no opposition, not even a self-imposed one, for here is spiritual expression, rather than creation 'through a process of inversion.' Whatever it is, it points to the order where there is the spontaneity of spiritual expression in itself and not through an opposition.

This free, elastic and spontaneous expression as distinguished from the restricted creative energy has been the source of destruction of the life of spirit, through

nature and the life of spirit through self in the Vaisnava philosophy. Life reveals greater freedom and more spontaneity as it rises in the scale of existence. The tension that is felt in creative expression in nature is eased in the order of spirit.

The Vaisnavas felt a greater and vaster world of spiritual existence with its enrapturing harmonies and beauties which are really transcendental and they cannot impress themselves on us, if the soul clings least to the earthly tendencies. The dynamism of life here is the finest and the swiftest, but the life's forces here are all directed to and consumed in the shining Love—life here naturally rises above its earthly expression and flies on the wings of unconquerable love which brightens the whole existence and reveals its supra-mental fineness and delicacy. Will, chastened by the flame of love and becomes Godisentric—it may have the occasional eccentric creative expression—even then it is only the reflection of the supreme will. The finite spirit through its wisdom, love and will reflect the transcendent divine, for its psychic make up is completely transformed. Hence it is more divine life, in so far as it can be expressed on earth.

The transfiguration of the impulses with the impress of the divine consciousness upon the inner psyche in man reveals a luminous existence with its dignified harmony and ineffable beauty. The supra-mental existence may have finer expression and revelation without the sense of the least opposition. The Vaisnavas, as—in matter of fact—the devotional school of Mysticism have the better realisation of the functioning of psychic forces beyond the vital and the mental.

This unique perception of psyche introduces a loftier vein in the conception of human destiny. For the human mind has no clear idea of the potentiality of the psychic being in man, which puts it in direct connexion with the divine expression where the uneducated vital and mental cannot function. The psyche is in direct touch with and is under the influence of the divine. Through the luminous psyche the soul can enjoy the wideness, transparency, beauties, felicity of spiritual life.

The soul recovers itself from the individualistic sense and receives the light of the spirit in which it can see the world and invite the fellowship of the community of spirits. Philosophers in the East and West have the vision of this Eternal community. "Community is more than aggregate of individuals, it is an enfolding spirit. It is St. Augustine's 'Civitas dei, and Vakuntha' of the Vaisnavas. The community of spirits unfolds the possibility of Eternal life vertically and horizontally. It is a life extended in all directions and does not take the unilateral expression of spiritual life as implied in Bergson's conception.

Transcendent wisdom, radiant beauty and absorbing love are chief characteristics of heavenly life. Harmony was the finer conception amongst the Greeks. Love implies harmony and something more. It is the captivating attraction towards an indissoluble union. The divine harmony allows the soul to feel the encompassing life, in a spirit of philosophic composure. The divine love impresses the spiritual amor—the maddening attraction of a complete union and absorbing fusion.

The dynamic conception of life, however, fraught it is with intense and immense possibilities, cannot extend beyond concrete spirituality and aspire to the luminous silence, which transcends all concret formations. The spiritual life opens a new page when the effort is sincere to pass into the fathomless silence. It reveals the heart of reality in its supraconceptual dignity and vastness. Here spiritual life is first dissociated from all personal holding and expression. It reveals a new spiritual perspective. The impersonal side and aspect of the spirit comes to view, before finally passing into its transcendent silence.

The concrete spirituality gives a dynamical identification. It cannot go beyond the equilibrium in spiritual life. But spiritual equilibrium is not to be confused with spiritual freedom. Even in Love mysticism we find the emphasis laid upon freedom, which is realised in the occasional release of the soul from the sense of history and time.

In dynamic integration the spirit is dispossessed of the personal hold and enjoys the impersonal touch. It really reveals the deeper aspect of spiritual life beyond expression in radiant beauty, cosmic harmony and ineffable delight. It enthrones the silence of the spiritual life in the deep abyss of the soul. This experience of the super-personal in spiritual life is a new kind of experience. Spiritual life is so often associated with free creativeness that it is often difficult to appraise the true value of the touch of transcendent spirituality in which with the wideness of being the self is gradually freed from its subjective concentration and construction. But this integration of super-personal experience is not to be completely dissociated from the personal experience. They alternate in spiritual life.



Spiritual life is essentially dynamical, which comprises within both spiritual silence and spiritual expression, i. e. it sometimes oversteps all personal experiences and borders on the super-personal.

Bradley appreciates the value of super-personal life and experience, which is to him the true spiritual experience. This experience is unique and transcends all other experiences of the true, the good and the beautiful. This does not negate them, rather assimilates them in harmony. Thought must be present as a higher intuition. Will would be there where the ideal had become reality, and beauty, pleasure and feeling would live on in this total fulfilment. "Every flame of passion, chaste or carnal would still burn in the Absolute unquenched and unabridged, a note absorbed in the harmony of its higher bliss."

Bradley sees the dignity of the super-personal and the richness of the personal experiences in spiritual life and retains both of them as equally true experiences, but his emphasis upon non-rational nature of the spiritual life obliges him to go beyond the personal content and to get hold of the Absolute form. But his form does not suit its content. They cannot be successfully equated.

In spiritual life there is room for both these kinds of experiences—but they cannot be squared or integrated for they refer to the different poles of our conscious life. Hence Bhaskar and Bouanquet has to accept a kind of impersonal-personal existence as the highest philosophic reality and the greatest spiritual realisation.

There is an element of truth in conceiving the highest existence both comprehensive as well as free but this is the highest truth that intellect conceive, for it retains the ideas of transcendent freedom together with the elasticity of spiritual life, and this perhaps, has been the source of maintaining the highest existence as competent to answer the demands of our religious life yielding all transparent joys of the soul as well as to satisfy the philosophic instinct of freedom.

The self has a creative as well as a basic freedom. The Vedanta is the only philosophy which recognises this in proper sense. The self is free in a double sense, it is free as creative, it is free as perceptive. The creative freedom sets it in dynamical reference and functioning, but its freedom as perception introduces its transcendence and complete detachment from concentration and dynamism. The former makes it all comprehensive and the latter free.

The advantage of this conception lies in presenting the elasticity of our life and the transcendence of our being, religion demands the former, philosophy the latter. True religious spirit lies in enjoying the free creative spirit, and the harmony and the comprehensiveness of being—and thus fulfil the Bergsonian, the Platonic and Vedantic ideals—whereas the philosophic instinct is satisfied in realising that true freedom of being for it transcends all concentration which creative spirit suggests. Religion is based upon this concentration and in the full opening of being religion is realised as mere connected with definitive being.

This double function cannot long continue for the self soon forsakes the delight of fellowship with and responsive reaction to the cosmic life—the free urge of creative spirit and consciousness and in the calm of being is installed in transcendent freedom—Eckhart has characterised this as the Eternal Now of spiritual life which offers a unique satisfaction in the freedom from the labyrinth of experience, moral, aesthetic and religious. A Philosopher's heaven is this freedom.

Mr. *Hemangya Kabir*, in his paper, criticised Dr. Sircar's ideal as too much static and passive where all sorts of activity and conflict are merged such a heaven was rather cold and indifferent and Mr. Kabir would like to have a heaven, if one at all, in which there will be activity of the highest order, and where we can have all the sides of our nature fulfilled.

Dr. *Mir Valudeen* expressed the view that heaven is an abode of eternal happiness—where there is eternal life and no death, where there is eternal peace and bliss and no enmity. And this he thought is the true interpretation of the Quantic conception of Heaven.

The following gentlemen took part in the discussions—Dr. Satiswar Sen (Andhra University), Mr. H. Bhattacharyya (Asutosh College), Mr. Ahmed Sah (Lucknow), Dr. D. M. Datta (Patna), Mr. Indra Sen (Delhi), L. P. Sukul (Calcutta University), Mr. P. G. Datta, Mr. Lamba, Mr. Maity and Mr. Kar. The discussion ended with a short remark from the chair in which Dr. Hogg preferred the ideal of a heaven in which there will be activity of the highest and the best order.









